Preparatory Committee for the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons: reiterating the urgency of its implementation

Working paper submitted by New Zealand on behalf of the New Agenda Coalition (Brazil, Egypt, Ireland, Mexico, New Zealand and South Africa)*

1. For some years now, division has become increasingly apparent among States parties to the Treaty on the Non-Proliferation of Nuclear Weapons. This division is not over the value of the Treaty itself; affirmation of the Treaty and of its object and purpose is as widespread as ever, including on the part of the New Agenda Coalition. But reluctance on the part of the nuclear-weapon States to move forward on nuclear disarmament has diminished the sense of common purpose with regard to the importance of the "grand bargain" of the Non-Proliferation Treaty and, in particular, regarding what is necessary for the full implementation of the nuclear disarmament obligation in article VI.

2. The inclusion of article VI in the Non-Proliferation Treaty was key to persuading States that do not possess nuclear weapons to sign the Treaty, whereby non-nuclear-weapon States renounce any right to possess nuclear weapons based on the reciprocal undertaking by nuclear-weapon States to eliminate their nuclear weapons arsenals. In this regard, article VI specifically obliges all States parties to "pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control".

3. Through the consensual outcomes of a number of review conferences, namely, those held in 1995, 2000 and 2010, States parties have, often repeatedly, identified and committed to a range of measures that would serve to advance the implementation of article VI. The failure of nuclear-weapon States to move forward in a serious and concerted way on most of these agreed measures is undermining the strength and credibility of the Treaty and the usefulness of the review process itself.

4. Some have found it convenient to suggest that the increasing division among States parties to the Non-Proliferation Treaty has come about not as a result of the failure of the nuclear-weapon States to act in conformity with article VI, but instead

* The New Agenda Coalition reiterates that working papers NPT/CONF.2020/PC.I/WP.9 and NPT/CONF.2020/PC.I/WP.13, submitted for the first session of the Preparatory Committee for the 2020 Review Conference, remain contributions for consideration during the current review cycle.

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as a result of the Humanitarian Initiative and the recent adoption of the Treaty on the Prohibition of Nuclear Weapons. Such an assertion might have had some credibility if there were anything in the text of that Treaty that could stand in the way of the fulfilment by any State party of its obligations and commitments under the Non-Proliferation Treaty, including any of the undertakings agreed upon at review conferences, but there is not. Indeed, as the New Agenda Coalition and many other supporters of the Treaty on the Prohibition of Nuclear Weapons have substantiated on a number of occasions, that Treaty reaffirms the Non-Proliferation Treaty as the cornerstone of the nuclear disarmament and non-proliferation regime and complements and strengthens the obligations contained within it.

5. Instead, the lack of follow-through on the implementation of article VI and efforts to reinterpret it or roll back undertakings given in the review process continue to be the main source of division among States parties to the Non-Proliferation Treaty. For ease of reference, and as a reminder of the common ground which has been accepted by all States parties, these obligations and related commitments are set out below.

Article VI and existing commitments

Article VI of the Non-Proliferation Treaty

6. Under article VI of the Non-Proliferation Treaty, "each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control".

1995 Review and Extension Conference

7. As part of the package agreed at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, which included a resolution on the Middle East and a decision on a strengthened review process, the decision on principles and objectives for nuclear non-proliferation and disarmament called for three measures that were recognized as important for the full realization and effective implementation of article VI:

(a) The completion by the Conference on Disarmament of the negotiations on a universal and internationally and effectively verifiable Comprehensive Nuclear-Test-Ban Treaty no later than 1996. Pending the entry into force of a Comprehensive Nuclear-Test-Ban Treaty, the nuclear-weapon States should exercise utmost restraint;

(b) The immediate commencement and early conclusion of negotiations on a non-discriminatory and universally applicable convention banning the production of fissile material for nuclear weapons or other nuclear explosive devices;

(c) The determined pursuit by the nuclear-weapon States of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons.

2000 Review Conference

8. The 2000 Review Conference agreed on 13 practical "steps" to implement the nuclear disarmament obligation under article VI:

- **Step 1.** The early entry into force of the Comprehensive Nuclear-Test-Ban Treaty.
- **Step 2.** A moratorium on nuclear-weapon test explosions or any other nuclear explosions pending entry into force of that Treaty.

- **Step 3.** The necessity of negotiations in the Conference on Disarmament on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices in accordance with the statement of the Special Coordinator of 1995 and the mandate contained therein, taking into consideration both nuclear disarmament and nuclear non-proliferation objectives.

- **Step 4.** The necessity of establishing in the Conference on Disarmament an appropriate subsidiary body with a mandate to deal with nuclear disarmament. The Conference on Disarmament is urged to agree on a programme of work which includes the immediate establishment of such a body.

- **Step 5.** The principle of irreversibility to apply to nuclear disarmament, nuclear and other related arms control and reduction measures.

- **Step 6.** An unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, to which all States parties are committed under article VI.

- **Step 7.** The early entry into force and full implementation of START II and the conclusion of START III as soon as possible while preserving and strengthening the Treaty on the Limitation of Anti-Ballistic Missile Systems as a cornerstone of strategic stability and as a basis for further reductions of strategic offensive weapons, in accordance with its provisions.

- **Step 8.** The completion and implementation of the Trilateral Initiative between the United States of America, the Russian Federation and the International Atomic Energy Agency (IAEA).

- **Step 9.** Steps by all the nuclear-weapon States leading to nuclear disarmament in a way that promotes international stability, and based on the principle of undiminished security for all:

(a) Further efforts by the nuclear-weapon States to reduce their nuclear arsenals unilaterally;

(b) Increased transparency by the nuclear-weapon States with regard to the nuclear weapons capabilities and the implementation of agreements pursuant to article VI and as a voluntary confidence-building measure to support further progress on nuclear disarmament;

(c) The further reduction of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the nuclear arms reduction and disarmament process;

(d) Concrete agreed measures to further reduce the operational status of nuclear weapons systems;

(e) A diminishing role for nuclear weapons in security policies to minimize the risk that those weapons will ever be used and to facilitate the process of their total elimination;

(f) The engagement as soon as appropriate of all the nuclear-weapon States in the process leading to the total elimination of their nuclear weapons.

- **Step 10.** Arrangements by all nuclear-weapon States to place, as soon as practicable, fissile material designated by each of them as no longer required for military purposes under IAEA or other relevant international verification and arrangements for the disposition of such material for peaceful purposes, to ensure that such material remains permanently outside military programmes.

- **Step 11.** Reaffirmation that the ultimate objective of the efforts of States in the disarmament process is general and complete disarmament under effective international control.

- **Step 12.** Regular reports, within the framework of the strengthened review process for the Non-Proliferation Treaty, by all States parties on the implementation of article VI and of paragraph 4 (c) of the 1995 decision on principles and objectives for nuclear non-proliferation and disarmament, and recalling the advisory opinion of the International Court of Justice of 8 July 1996.

- **Step 13.** The further development of the verification capabilities that will be required to provide assurance of compliance with nuclear disarmament agreements for the achievement and maintenance of a nuclear-weapon-free world.

2010 Review Conference

9. The 2010 Review Conference agreed on an action plan that included concrete steps for the total elimination of nuclear weapons. The 22 actions relating to nuclear disarmament are as follows:

- **Action 1.** All States parties commit to pursue policies that are fully compatible with the Treaty and the objective of achieving a world without nuclear weapons.

- **Action 2.** All States parties commit to apply the principles of irreversibility, verifiability and transparency in relation to the implementation of their treaty obligations.

- **Action 3.** In implementing the unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals, the nuclear-weapon States commit to undertake further efforts to reduce and ultimately eliminate all types of nuclear weapons, deployed and non-deployed, including through unilateral, bilateral, regional and multilateral measures.

- **Action 4.** The Russian Federation and the United States commit to seek the early entry into force and full implementation of the Treaty on Measures for the Further Reduction and Limitation of Strategic Offensive Arms and are encouraged to continue discussions on follow-on measures in order to achieve deeper reductions in their nuclear arsenals.

- **Action 5.** The nuclear-weapon States commit to accelerate concrete progress on the steps leading to nuclear disarmament, contained in the Final Document of the 2000 Review Conference, in a way that promotes international stability, peace and undiminished and increased security. To that end, they are called upon to promptly engage with a view to, inter alia:

(a) Rapidly moving towards an overall reduction in the global stockpile of all types of nuclear weapons, as identified in action 3;

(b) Addressing the question of all nuclear weapons regardless of their type or their location as an integral part of the general nuclear disarmament process;

(c) Further diminishing the role and significance of nuclear weapons in all military and security concepts, doctrines and policies;

(d) Discussing policies that could prevent the use of nuclear weapons and eventually lead to their elimination, lessen the danger of nuclear war and contribute to the non-proliferation and disarmament of nuclear weapons;

(e) Considering the legitimate interest of non-nuclear-weapon States in further reducing the operational status of nuclear weapons systems in ways that promote international stability and security;

(f) Reducing the risk of accidental use of nuclear weapons;

(g) Further enhancing transparency and increasing mutual confidence.

- **Action 6.** All States agree that the Conference on Disarmament should immediately establish a subsidiary body to deal with nuclear disarmament, within the context of an agreed, comprehensive and balanced programme of work.

- **Action 7.** All States agree that the Conference on Disarmament should, within the context of an agreed, comprehensive and balanced programme of work, immediately begin discussion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, to discuss substantively, without limitation, with a view to elaborating recommendations dealing with all aspects of this issue, not excluding an internationally legally binding instrument.

- **Action 8.** All nuclear-weapon States commit to fully respect their existing commitments with regard to security assurances. Those nuclear-weapon States that have not yet done so are encouraged to extend security assurances to non-nuclear-weapon States parties to the Treaty.

- **Action 9.** The establishment of further nuclear-weapon-free zones, where appropriate, on the basis of arrangements freely arrived at among States of the region concerned, and in accordance with the 1999 Guidelines of the Disarmament Commission, is encouraged. All concerned States are encouraged to ratify the nuclear-weapon-free zone treaties and their relevant protocols, and to constructively consult and cooperate to bring about the entry into force of the relevant legally binding protocols of all such nuclear-weapon-free zones treaties, which include negative security assurances. The concerned States are encouraged to review any related reservations.

- **Action 10.** All nuclear-weapon States undertake to ratify the Comprehensive Nuclear-Test-Ban Treaty with all expediency, noting that nuclear-weapon States have the special responsibility to encourage Annex 2 countries, in particular those which have not acceded to the Treaty on the Non-Proliferation of Nuclear Weapons and continue to operate unsafeguarded nuclear facilities, to sign and ratify.

- **Action 11.** Pending the entry into force of the Comprehensive Nuclear-Test-Ban Treaty, all States commit to refrain from nuclear-weapon test explosions or any other nuclear explosions, the use of new nuclear weapons technologies and from any action that would defeat the object and purpose of that Treaty, and all existing moratoriums on nuclear-weapon test explosions should be maintained.

- **Action 12.** All States that have ratified the Comprehensive Nuclear-Test-Ban Treaty commit to report, at the 2011 Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty, on progress made towards the urgent entry into force of that Treaty.

- **Action 13.** All States that have ratified the Comprehensive Nuclear-Test-Ban Treaty undertake to promote the entry into force and implementation of that Treaty at the national, regional and global levels.

- **Action 14.** The Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization is to be encouraged to fully develop the verification regime for the Comprehensive Nuclear-Test-Ban Treaty, including early completion and provisional operationalization of the international monitoring system.

- **Action 15.** All States agree that the Conference on Disarmament should, within the context of an agreed, comprehensive and balanced programme of work, immediately begin negotiation of a treaty banning the production of fissile material for use in nuclear weapons or other nuclear explosive devices in accordance with the report of the Special Coordinator of 1995 (CD/1299) and the mandate contained therein.

- **Action 16.** The nuclear-weapon States are encouraged to commit to declare, as appropriate, to IAEA all fissile material designated by each of them as no longer required for military purposes and to place such material as soon as practicable under IAEA or other relevant international verification and arrangements for the disposition of such material for peaceful purposes.

- **Action 17.** In the context of action 16, all States are encouraged to support the development of appropriate legally binding verification arrangements, within the context of IAEA, to ensure the irreversible removal of fissile material designated by each nuclear-weapon State as no longer required for military purposes.

- **Action 18.** All States that have not yet done so are encouraged to initiate a process towards the dismantling or conversion for peaceful uses of facilities for the production of fissile material for use in nuclear weapons or other nuclear explosive devices.

- **Action 19.** All States agree on the importance of supporting cooperation among Governments, the United Nations, other international and regional organizations and civil society aimed at increasing confidence, improving transparency and developing efficient verification capabilities related to nuclear disarmament.

- **Action 20.** States parties should submit regular reports on the implementation of the action plan, as well as of article VI, and of paragraph 4 (c) of the 1995 decision on principles and objectives for nuclear non-proliferation and disarmament, and the practical steps agreed to in the Final Document of the 2000 Review Conference, and recalling the advisory opinion of the International Court of Justice of 8 July 1996.

- **Action 21.** As a confidence-building measure, all the nuclear-weapon States are encouraged to agree as soon as possible on a standard reporting form and to determine appropriate reporting intervals for the purpose of voluntarily providing standard information without prejudice to national security.

- **Action 22.** All States are encouraged to implement the recommendations contained in the report of the Secretary-General (A/57/124) regarding the United Nations study on disarmament and non-proliferation education, in order to advance the goals of the Treaty in support of achieving a world without nuclear weapons.

Towards 2020

10. However they have been phrased (including as actions or steps), the measures agreed upon in 1995, 2000 and 2010 represent clear indicators of what States parties to the Non-Proliferation Treaty have agreed as necessary for the implementation of the nuclear disarmament obligation in article VI.

11. States parties to the Non-Proliferation Treaty remain fully accountable for the implementation of those agreed disarmament measures. The New Agenda Coalition does not accept the notion put forward by the nuclear-weapon States and those committed to extended nuclear deterrence that further progress towards nuclear disarmament requires a more conducive international security environment. Rather,

it is the implementation of existing nuclear disarmament obligations and commitments that will contribute to improving the global environment. Such implementation is also imperative to sustain the health of our Non-Proliferation Treaty regime, which has been undermined by the ongoing failure to fulfil nuclear disarmament obligations and commitments and which is now also under threat from recent efforts to expand, modernize and qualitatively improve nuclear arsenals, and from intentions to increase the role of nuclear weapons in security doctrines.

12. The Preparatory Committee and the 2020 Review Conference are vital opportunities for all States parties, in particular the nuclear-weapon States, to demonstrate their commitment to the full implementation of the Treaty.

13. It is the responsibility of all States parties to the Non-Proliferation Treaty, whether or not they support the Treaty on the Prohibition of Nuclear Weapons, to move forward with urgency in implementing their obligations and commitments under article VI in order to maintain the good standing of the Treaty and its review process.

Preparatory Committee for the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Nuclear security in the Treaty on the Non-Proliferation of Nuclear Weapons

Working paper submitted by Australia, Canada and Spain

I. Introduction

1. The present working paper presents a reflection on how nuclear security[1] fits in with the Treaty on the Non-Proliferation of Nuclear Weapons. The working paper proposes that, in future Non-Proliferation Treaty preparatory committees and in the related meetings during the present Non-Proliferation Treaty review cycle, nuclear security be present as a cross-cutting element in the different pillars; and that this idea appear in a reference to nuclear security in the outcome document for the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

2. Now that 50 years have passed since the adoption of a Treaty, the States submitting the present working paper believe that this is a necessary reflection, one useful for strengthening the Non-Proliferation Treaty, which remains the cornerstone of the nuclear non-proliferation regime, based on the following:

- **First, technological advances**, which have transformed the nuclear field at a fast rate. These include advances in nuclear energy production, as well as applications of radioactive materials and sources, all of which demand increasingly specialized ways of ensuring sufficient levels of nuclear security to reduce the threat of nuclear terrorism using these new technologies.
- **Second, the emergence of new asymmetric threats, as well as the proliferation of non-State actors** with the potential to access nuclear material and technologies, has created an international situation in which nuclear security is one of the cornerstones of many countries' security policies.
- **Third, the evolution of the non-proliferation regime itself**, which is increasingly complex and rich in stakeholders and instruments.

[1] The term "nuclear security" includes "physical protection" and also encompasses the prevention and detection of, and response to, theft, sabotage, unauthorized access, illegal transfer or other criminal acts involving nuclear material, other radioactive substances or their associated facilities.

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3. In the light of the above, we believe that a robust Non-Proliferation Treaty must not sit on the sidelines of the debate on global governance in nuclear security. The present document does not aim to offer conclusions regarding an issue that is still relatively recent, namely the interaction between nuclear security and the Non-Proliferation Treaty. It does, however, aim to spark a debate on a subject that already has precedents in previous inter-sessional processes (see, e.g., NPT/CONF.2015/WP.1, NPT/CONF.2015/WP.10, NPT/CONF.2020/PC.I/WP.7 and NPT/CONF.2020/PC.I/WP.40), but which is still relatively unexplored and which ought to be given continuity at future sessions of the Preparatory Committee and review conferences.

II. International developments on nuclear security

4. The threat of nuclear and radiological terrorism has evolved very quickly over the past decade; new actors (e.g., new terrorist and criminal groups) have emerged which have the potential for considerable economic and technological capabilities, adapting and evolving in the effort to achieve a major impact — social, economic and even political — through their terrorist actions. An additional consideration would be the impact on the future access to the peaceful uses of nuclear energy for all States, should the public lose faith in nuclear technologies in the light of a deliberate attack using nuclear or radiological materials.

5. The international community has reacted to these developments by addressing these new challenges decisively, including the following highlights:

- The entry into force on 8 May 2016 of the Amendment to the Convention on the Physical Protection of Nuclear Material, under which nuclear facilities are included as crucial elements to be protected.
- The adoption of Security Council resolution 2325 (2016) on weapons of mass destruction and non-State actors, resulting from the comprehensive review process for Council resolution 1540 (2004), led by Spain, which chaired the Security Council Committee established pursuant to resolution 1540 (2004) in 2015 and 2016.
- The Nuclear Security Summit process, which took place between 2010 and 2016, has contributed to raising awareness regarding the nuclear threat, substantially improving the international nuclear security architecture and helping secure sensitive nuclear and radiological materials worldwide. The process reaffirmed leader-level commitment to the three pillars of the Non-Proliferation Treaty and to nuclear security as a long-term national and international priority.
- A number of initiatives have been launched with the aim of supporting nuclear security and mitigating the threat of nuclear terrorism through concrete actions, including the G-7-led Global Partnership Against the Spread of Weapons and Materials of Mass Destruction, the Global Initiative to Combat Nuclear Terrorism, the Proliferation Security Initiative, the Nuclear Security Contact Group and the Nuclear Industry Steering Group on Security.

6. All of these circumstances demand an in-depth analysis of the role that the security of nuclear and radioactive materials and facilities plays in the development of the three pillars of the Non-Proliferation Treaty: nuclear disarmament, control of nuclear proliferation and peaceful use of nuclear energy.

III. Nuclear disarmament and nuclear security

7. Disarmament processes, which originate as political and strategic initiatives, are ultimately very complex from a technological and engineering standpoint. They all require systems, facilities and procedures that guarantee technological safety, radiological protection and security for nuclear materials, facilities and transport.

8. The international community has made considerable progress on reducing the use of key fissile materials, such as through minimizing the use of highly enriched uranium and reusing surplus stocks of plutonium in civilian programmes when it is technically and economically feasible. Research reactors using highly enriched uranium fuel have been converted, decommissioned and replaced in 25 countries, and the reuse of plutonium to manufacture mixed-oxide fuel is a habitual practice in the civil nuclear industry. Such progress has meant that there is less weapons-grade material, held in fewer locations. This outcome is beneficial for nuclear security and for nuclear disarmament.

IV. Proliferation prevention and nuclear security

9. The prevention of nuclear proliferation through the Non-Proliferation Treaty is achieved through the implementation of the International Atomic Energy Agency (IAEA) international nuclear safeguards system and through export control mechanisms for nuclear and dual-use materials, equipment and technologies (e.g., the Zangger Committee and the Nuclear Suppliers Group).

10. The IAEA safeguards system is based primarily on nuclear material accountancy and the verification and inspection of facilities under IAEA safeguards. The design and implementation of accounting and control systems can also be a useful way of enhancing the security of nuclear materials (see IAEA Nuclear Security Series No. 25 G), yet this remains one of the technical challenges to be addressed at all kinds of nuclear facilities. These systems must, furthermore, be complemented by appropriate physical protection and cybersecurity systems, and it is advisable for the synergies between security and safeguards to be explored fully and systematically.

11. The guidelines of the Nuclear Suppliers Group provide, as a condition for export from participating States, guarantees that the importing country of nuclear material or technology meets the IAEA minimum requirements for the physical protection of nuclear materials and facilities (see IAEA information circular INFCIRC/254/Rev.13/Part 1, para. 3 and annex C).

V. Peaceful uses of nuclear energy: new challenges

12. All States parties to the Non-Proliferation Treaty are entitled, under article IV of the Non-Proliferation Treaty, to access to the peaceful uses of nuclear energy. Today, radioactive materials and sources are being used intensively for medical, industrial, agricultural, research and environmental purposes. These materials are used and stored in such diverse settings as hospitals, factories, road construction, research facilities and oil prospecting. Moreover, they are carried from one place to another on a daily basis by land-, sea-, and air-based modes of transportation, opening them to a wider range of security vulnerabilities in the public sphere.

13. The abundance of radioactive material used in these applications increases the possibility that, if not under adequate regulatory control, such materials could fall into the hands of non-State actors and ultimately be used in terrorist attacks or for other criminal purposes. Consequently, the security requirements of practices involving radioactive materials related to the peaceful uses of nuclear energy must be strongly considered, and work must continue worldwide in order to enhance the security of these materials.

14. The international community, through IAEA and other international initiatives, is progressing in the development of technological and scientific programmes and disciplines to ensure the security of nuclear and other radioactive materials and facilities in the peaceful use of nuclear energy (see Non-Proliferation Treaty, article IV). Especially useful are the efforts of IAEA regarding the security of nuclear and other radioactive materials and facilities through the resolutions of its General Conference (see IAEA General Conference resolution GC(61)/RES/9) and the IAEA ongoing Nuclear Security Plans, approved by the Board of Governors at the recommendation of the Secretariat (see IAEA General Conference resolution GC(61)/24).

15. IAEA plays an essential and central coordinating role in the global nuclear security architecture and provides assistance to IAEA member States in their efforts to ensure the security of nuclear and other radioactive materials and facilities. This assistance helps foster safe and more secure use to nuclear technologies, which underpins the premise of ensuring that States have access to the peaceful uses of nuclear energy. IAEA has the mandate, instruments, infrastructure, qualified staff and knowledge necessary to lead subsequent developments in this field and help minimize duplication of efforts across related initiatives.

VI. Conclusions

16. Although the scope and importance of nuclear security have led some to refer to it as the "fourth pillar" of the Non-Proliferation Treaty, this is not the vision or intention of the present paper. Indeed, nuclear security is not an independent pillar; rather, it permeates all three pillars of the Non-Proliferation Treaty as a cross-cutting theme and in an increasingly complex global security environment, and its development should continue to be promoted.

17. It should be recalled that the Non-Proliferation Treaty is the most universal multilateral instrument in the field of non-proliferation and that its three pillars cover all aspects related to nuclear energy. It is not, then, a question of replacing or supplanting the efforts that are already being made in related forums and initiatives, but rather of giving them a place within the Non-Proliferation Treaty.

18. Therefore, the States submitting the present working paper propose that, in future Non-Proliferation Treaty preparatory committees, as well as in the related meetings during the present inter-sessional period, nuclear security be presented as a cross-cutting element in the three Non-Proliferation Treaty pillars. One such way that the signatory States envision achieving this could be through a prominent reference to nuclear security and its cross-cutting thematic nature in the outcome document for the 2020 Review Conference.

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Elements for a plan of action for the elimination of nuclear weapons

Working paper submitted by the Group of Non-Aligned States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

Introduction

1. The total elimination of nuclear weapons and the legally binding assurance that they will never be produced again is the only absolute guarantee against the use or threat of use of nuclear weapons. To achieve that goal, nuclear-weapon States need to implement their nuclear obligations under the Treaty on the Non-Proliferation of Nuclear Weapons and their disarmament commitments agreed upon in 1995, 2000 and 2010, including the unequivocal undertaking towards the total elimination of their nuclear arsenal. The 13 practical steps for systematic and progressive efforts to implement article VI of the Treaty should be fully implemented in accordance with the principles of transparency, verifiability and irreversibility.

2. In that context, negotiations on a comprehensive nuclear weapons convention that includes a phased programme and a specified time frame for the complete elimination of nuclear weapons are needed.

3. The Non-Aligned Movement proposes a plan of action for the total elimination of nuclear weapons consisting of the following concrete steps and measures, particularly the negotiation and adoption of a nuclear weapons convention that includes a phased programme and a specified time frame for the complete elimination of nuclear weapons, as a basis for consideration by the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. The list of measures in each phase is indicative rather than exhaustive. Nevertheless, it should be understood that, in any nuclear disarmament programme, all steps and measures are mutually reinforcing and inextricably linked.

Plan of action

First phase: 2020–2025

4. Commencement of negotiations on and conclusion of an international, non-discriminatory comprehensive convention on nuclear weapons, which:

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(a) Prohibits the possession, development, production, acquisition, testing, stockpiling, transfer, use or threat of use of nuclear weapons;

(b) Provides for their destruction;

(c) Includes a single integrated multilateral comprehensive verification system to ensure compliance with the provisions of the convention.

5. Pending the conclusion of a comprehensive convention, the immediate implementation of the following measures, which include agreed steps from the 1995, 2000 and 2010 Review Conferences, must be undertaken:

(a) A moratorium on the production of fissile materials for nuclear weapons purposes by nuclear-weapon States;

(b) The entry into force of the Comprehensive Nuclear-Test-Ban Treaty, starting with the ratification of the Treaty by the remaining nuclear-weapon States;

(c) The cessation of all nuclear test explosions pending the entry into force of the Comprehensive Nuclear-Test-Ban Treaty;

(d) The ending of all types of nuclear weapon tests and the closure of all nuclear weapon test sites and their associated infrastructure;

(e) The cessation of the upgrading and modernization of the existing nuclear weapon systems through new technology, including nuclear weapon research and development by nuclear-weapon States;

(f) The cessation of the role of nuclear weapons in the security doctrines of nuclear-weapon States, leading to the elimination of such a role;

(g) The provision of unconditional and legally binding negative security assurances by nuclear-weapon States to non-nuclear-weapon States;

(h) The establishment of nuclear-weapon-free zones, in particular in the Middle East;

(i) The reduction of nuclear arsenals and de-alerting by nuclear-weapon States.

Second phase: 2025–2030

6. Acceleration of the ratification and early entry into force of the comprehensive convention on nuclear weapons, which includes a phased programme and a specified time frame for the complete elimination of nuclear weapons.

7. Upon the entry into force of the comprehensive convention on nuclear weapons, the following steps must be undertaken:

(a) The establishment of a single integrated multilateral comprehensive verification system to ensure compliance with the provisions of the comprehensive convention on nuclear weapons;

(b) The declaration by possessor States parties of their stocks of nuclear weapons and material usable for nuclear weapons;

(c) The preparation, under international auspices, of an inventory of nuclear arsenals, including fissile materials, nuclear warheads and their delivery vehicles;

(d) The separation of nuclear warheads from their delivery vehicles;

(e) The placement of nuclear warheads in secure storage under international supervision, pending the removal of special nuclear materials from those warheads;

(f) The transfer of nuclear materials, including fissile materials, to "peaceful purposes";

(g) The irreversible placement of nuclear fissile material transferred from military to peaceful uses by nuclear-weapon States under International Atomic Energy Agency (IAEA) safeguards.

Third phase: 2030–2035

8. Further measures for the full implementation of the comprehensive convention on nuclear weapons and of its verification regime include:

(a) The elimination of all nuclear weapons in an irreversible and verifiable manner;

(b) The conversion of all facilities for the production of nuclear weapons to "peaceful purposes" in an irreversible and verifiable manner;

(c) The placement of all nuclear material, equipment and facilities under IAEA safeguards.

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Regional issues: Middle East

Working paper submitted by the Group of Non-Aligned States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

1. The Group of Non-Aligned States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons reaffirms that the Treaty recognizes the right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories, which the Group considers to be a contribution towards the total elimination of nuclear weapons. However, the Group is of the firm belief that the establishment of nuclear-weapon-free zones is not a substitute for the legal obligations and unequivocal undertakings of the nuclear-weapon States for the total elimination of nuclear weapons. The Group further welcomes the efforts aimed at establishing nuclear-weapon-free zones in all regions of the world, and in this regard strongly supports the establishment of a nuclear-weapon-free zone in the Middle East.

2. The Group of Non-Aligned States Parties to the Treaty stresses the importance of the resolution on the Middle East adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, which reaffirmed the importance of the early realization of universal adherence to the Treaty. The Group recalls that the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons reaffirmed the importance of Israel's accession to the Treaty and the placement of all its nuclear facilities under comprehensive International Atomic Energy Agency (IAEA) safeguards, in realizing the goal of universal adherence to the Treaty in the Middle East.

3. The Group of Non-Aligned States Parties to the Treaty underlines furthermore that the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons also reaffirmed the importance of the resolution on the Middle East adopted at the 1995 Review and Extension Conference and recalled the affirmation of its goals and objectives at the 2000 Review Conference. The 2010 Review Conference also stressed that the resolution would remain valid until the goals and objectives had been achieved and that the resolution was an essential element of the outcome of the 1995 Review and Extension Conference and of the basis on which the Treaty had been indefinitely extended without a vote in 1995. The Group recalls also that, at the 2010 Review Conference, States parties renewed their resolve to

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undertake, individually and collectively, all necessary measures aimed at its prompt implementation.

4. The Group of Non-Aligned States Parties to the Treaty further recalls that the 2010 Review Conference, in taking note of the reaffirmation by the five nuclear-weapon States of their commitment to the full implementation of the 1995 resolution on the Middle East at that Review Conference, thereby recalled the reaffirmation by the 2000 Review Conference of the importance of Israel's accession to the Treaty and the placement of all its nuclear facilities under comprehensive IAEA safeguards. The 2010 Review Conference also reaffirmed the urgency and importance of achieving the universality of the Treaty and called on all States in the Middle East that had not yet done so to accede to the Treaty as non-nuclear-weapon States so as to achieve its universality at an early date.

5. In this context, the Group of Non-Aligned States Parties to the Treaty welcomed the adoption by consensus of a detailed plan of action on the Middle East, particularly on the implementation of the 1995 resolution on the Middle East, as contained in the conclusions and recommendations for follow-on actions of the 2010 Review Conference, and urged the Secretary-General and the co-sponsors of the 1995 resolution, in consultation with the States of the region, to convene and exert their utmost efforts to ensure the success of a conference in 2012 that was to be attended by all States of the Middle East, on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction.[1] While recalling that the 2010 Review Conference emphasized the importance of a process leading to full implementation of the objectives of the 1995 resolution on the Middle East, the Group stressed the importance of the full implementation of the plan of action and the active and constructive engagement of all parties concerned to allow for the success of the conference, leading to the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction.

6. The Group of Non-Aligned States Parties to the Treaty expresses deep concern over the long delay in the implementation of the 1995 resolution on the Middle East and urges the three co-sponsors of the resolution to fulfil their responsibility by taking all necessary measures to fully implement it without any further delay.

7. The Group of Non-Aligned States Parties to the Treaty expresses its serious concern that no progress has been achieved with regard to Israel's accession to the Treaty, the placement of all Israel's nuclear facilities under the IAEA full-scope safeguards and the delay in the establishment of a nuclear-weapon-free zone in the Middle East, all of which are objectives and priorities that were stressed at the 1995, 2000 and 2010 Review Conferences.

8. The Group of Non-Aligned States Parties to the Treaty remains gravely concerned by the statement made by the then Prime Minister of Israel on 11 December 2006, in which he publicly admitted the possession of nuclear weapons by Israel. In that regard, the Group reaffirms the continued validity of the statement of the Coordinating Bureau of the Non-Aligned Movement on this subject, as contained in document NPT/CONF.2010/PC.I/19.

9. The Group of Non-Aligned States Parties to the Treaty further expresses great concern over Israel's acquisition of nuclear capabilities, which poses a serious and continuing threat to the security of neighbouring and other States, and condemns Israel for continuing to develop and stockpile nuclear arsenals. The Group also reaffirms that stability cannot be achieved in a region where massive imbalances in

[1] Participation in the conference is not meant to constitute the definition of the "Middle East", except for the purpose of the establishment of a zone free of nuclear weapons and all other weapons of mass destruction in the Middle East.

military capabilities are maintained, particularly through the possession of nuclear weapons, as this allows one party to threaten its neighbours and the region and constitutes a threat to international peace and security.

10. The Group of Non-Aligned States Parties to the Treaty demands that Israel, the only country in the region that has neither joined the Treaty on the Non-Proliferation of Nuclear Weapons nor declared its intention to do so, renounce possession of nuclear weapons, accede to the Treaty as a non-nuclear-weapon State without any precondition or further delay, promptly place all its nuclear facilities under the IAEA full-scope safeguards, in accordance with Security Council resolution 487 (1981), and conduct all its nuclear-related activities in full conformity with the non-proliferation regime, in order to realize the goal of universal adherence to the Treaty, in particular in the Middle East.

11. The Group of Non-Aligned States Parties to the Treaty reaffirms that the nuclear-weapon States, in conformity with their legal obligations under article I of the Treaty, shall solemnly undertake not to transfer nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices, directly or indirectly to Israel, and further undertake not to assist, encourage or induce Israel in any way to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices or gain control over such weapons or explosive devices under any circumstances whatsoever.

12. The Group of Non-Aligned States Parties to the Treaty, in conformity with the Treaty, hereby declares its commitment to the effective prohibition of the transfer of all nuclear-related equipment, information, material and facilities, resources or devices, and the provision of know-how or any kind of assistance in the nuclear, scientific or technological fields to Israel, as long as that country remains a non-party to the Treaty and does not place all its nuclear facilities under the IAEA full-scope safeguards.

13. The Group of Non-Aligned States Parties to the Treaty also calls for the total and complete prohibition of the transfer, by any State, of all nuclear-related equipment, information, material and facilities, resources or devices and the extension of assistance in the nuclear-related scientific or technological fields to Israel. In that regard, the Group expresses its serious concern over Israeli scientists' continued access to the nuclear facilities of one nuclear-weapon State, as this potentially has serious negative implications on the security of the region as well as on the reliability of the global non-proliferation regime.

14. The Group of Non-Aligned States Parties to the Treaty once again reaffirms its determination to extend its fullest cooperation and exert its utmost efforts with a view to ensuring the early establishment in the Middle East of a zone free of nuclear weapons.

15. The Group of Non-Aligned States Parties to the Treaty underlines that the 2020 Review Conference should substantially focus on the Middle East by devoting sufficient time to it within the indicative timetable and thereby giving all speakers the full opportunity to engage in a substantive debate. The Group further recalls that the 2000 and 2010 Review Conferences stipulated that all States parties to the Treaty, particularly the nuclear-weapon States, the States of the Middle East and other interested States, should report through the secretariat to the President of the Review Conference and the Chairs of its Preparatory Committee meetings on the steps that they have taken to promote the achievement of such a zone and the realization of the goals and objectives of the 1995 resolution on the Middle East.

16. In that regard, the Group of Non-Aligned States Parties to the Treaty emphasizes the importance of the submission by all States parties to the Treaty, in particular the

co-sponsors of the 1995 resolution, of the reports required of them. It is essential that the 2020 Review Conference conduct substantive discussions on the above-mentioned reports and evaluate the fulfilment of commitments with regard to the Middle East, particularly implementation of the 1995 resolution on the Middle East, as contained in the conclusions and recommendations for follow-on actions adopted by consensus at the 2010 Review Conference.

17. Moreover, the Group of Non-Aligned States Parties to the Treaty requests the establishment of a subsidiary body to Main Committee II of the 2020 Review Conference to assess the implementation of the resolution on the Middle East, adopted by the Review and Extension Conference and reaffirmed in the Final Document of the 2000 Review Conference, as well as in the conclusions and recommendations for follow-on actions of the 2010 Review Conference.

18. The Group of Non-Aligned States Parties to the Treaty calls for the establishment of a standing committee comprising members of the Bureau of the 2020 Review Conference to follow up intersessionally on the implementation of the recommendations made by the Review Conference concerning Israel's prompt accession to the Non-Proliferation Treaty and the placement of all its nuclear facilities under the IAEA full-scope safeguards, and to report to the 2025 Review Conference and its Preparatory Committee.

19. The Group of Non-Aligned States Parties to the Treaty stresses that, as clearly stipulated at the 2010 Review Conference, the conference on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction should have been convened in the year 2012. At the first, second and third sessions of the Preparatory Committee in 2012, 2013 and 2014, the Group warned that any further delay in convening the 2012 conference would seriously jeopardize the overall implementation of the conclusions and recommendations for follow-on actions and would represent a major setback in that regard. Likewise, the Group underscored that the implementation of the 1995 resolution on the Middle East and the convening of a successful 2012 conference are integral and essential parts of the implementation of the conclusions and recommendations for follow-on actions adopted by consensus at the 2010 Review Conference.

20. Recalling the opposition expressed by the United States, the United Kingdom and Canada at the concluding session of the 2015 Review Conference of the Non-Proliferation Treaty, the Group of Non-Aligned States parties to the Treaty expresses its disappointment that, as a result of such opposition, consensus on new measures regarding the process to establish a Middle East zone free of nuclear weapons and all other weapons of mass destruction was not achieved. This could undermine efforts towards strengthening the non-proliferation regime as a whole. The Group re-emphasizes the special responsibility of the sponsor States of the 1995 resolution on the Middle East with regard to the implementation of that resolution. The Group is concerned that the persistent failure to implement the 1995 resolution, contrary to the decisions made at the relevant Review Conferences of the Treaty, undermines the effectiveness and credibility of the Treaty and disrupts the delicate balance between its three pillars, taking into account that the indefinite extension of the Treaty agreed at the 1995 Review and Extension Conference is inextricably linked to the implementation of the 1995 resolution on the Middle East and does not entail the right to indefinitely possess nuclear weapons.

21. The Group of Non-Aligned States Parties to the Treaty also re-emphasizes the importance of the mandated responsibility of the Secretary-General of the United Nations in accordance with paragraph 7 of the plan of action on the implementation of the 1995 resolution on the Middle East. Accordingly, the Group calls upon the

Secretary-General to accelerate his efforts to ensure the convening, without any further delay, of a successful conference.

22. The Group of Non-Aligned States Parties to the Treaty stresses once again the special responsibility of the nuclear-weapon States, in particular the obligations and commitments to implement the resolution made by the three depositary States of the Treaty which co-sponsored the 1995 resolution on the Middle East. Moreover, the Group considers the implementation of the practical steps on the Middle East adopted by the 2010 Review Conference to be a collective responsibility, since the conclusions and recommendations for follow-on actions of the 2010 Review Conference had clearly stipulated that the States parties renew their resolve to undertake, individually and collectively, all necessary measures aimed at its prompt implementation, and also underlined the reaffirmation at the 2010 Review Conference by the five nuclear-weapon States of their commitment to the full implementation of the 1995 resolution on the Middle East.

23. While appreciating the constructive engagement and the positive reactions about the conference from all Arab countries and the Islamic Republic of Iran, including the announcement of their willingness to participate in the conference, the Group of Non-Aligned States Parties to the Treaty deplores that Israel has refused to participate in the conference.

24. The Group of Non-Aligned States Parties to the Treaty expresses profound disappointment over the failure of the conveners to convene the conference in 2012 as scheduled. The failure to convene the conference in 2012 contradicts and violates the collective agreement of the States parties contained in the conclusions and recommendations for follow-on actions adopted by the 2010 Review Conference and contravenes the letter and spirit of the 1995 resolution on the Middle East. Furthermore, the Group strongly rejects the alleged impediments to convening the conference.

25. The Group of Non-Aligned States Parties to the Treaty underscores that efforts by the Secretary-General of the United Nations related to the Conference should be undertaken in accordance with the following elements, and should be focused on convening the conference no later than 2020, with the aim of launching a process to negotiate and conclude a legally binding treaty on the establishment of a Middle East zone free of nuclear and all other weapons of mass destruction, with the following mandate, and in doing so, he shall exert all efforts and take all necessary measures with a view to ensuring the success of the conference:

(a) The Secretary-General shall invite States of the Middle East region[2] to attend the conference;

(b) The Secretary-General shall also invite the five nuclear-weapon States, the International Atomic Energy Agency, the Organisation for the Prohibition of Chemical Weapons, the Biological Weapons Convention Implementation Support Unit and the League of Arab States to attend the conference as observers;

(c) The resolution on the Middle East adopted at the 1995 Review and Extension Conference shall be the terms of reference of the conference;

(d) The conference shall establish two working groups as follows:

(i) Working group I to deal with the scope, geographic demarcation of the zone, prohibitions and interim measures;

[2] See report by the Director General of the IAEA on the application of IAEA safeguards in the Middle East 2013, GOV/2013/33/Add.1-GC(57)/10/Add.1.

(ii) Working group II to deal with verification measures and implementation mechanisms;

(e) The conference shall meet annually in its plenary format and working groups;

(f) When the draft of the treaty is agreed among all States of the region, the Secretary-General of the United Nations shall reconvene the conference for its adoption;

(g) The Secretary-General of the United Nations shall report to the 2025 Review Conference and its preparatory committees on the progress made and the status of the implementation of the 1995 resolution on the Middle East;

(h) The five nuclear-weapon States shall provide all necessary support for the implementation of this mandate and shall present reports on their actions in that regard to the 2025 Review Conference and its preparatory committees;

(i) The Secretary-General of the United Nations shall exert all efforts to secure the required funds, including through a voluntary fund that could be established to support the implementation of this mandate;

(j) The conference shall not be postponed. If the States that announced their participation in the conference decide to postpone the convening of the conference, it should be held within 90 days.

26. The co-sponsors of the 1995 resolution on the Middle East bear special responsibility for the establishment of the Middle East zone free of nuclear weapons and all other weapons of mass destruction, as well as for the full implementation of the 1995 resolution on the Middle East which they co-sponsored, in order to guarantee the indefinite extension of the Treaty without a vote.

27. The Group of Non-Aligned States Parties to the Treaty urges the convening of the conference without any further delay, in order to avoid any negative repercussions on the credibility of the Treaty and on the nuclear disarmament and non-proliferation regime as a whole.

28. The Group of Non-Aligned States Parties to the Treaty reaffirms the need for the speedy establishment of a nuclear-weapon-free zone in the Middle East in accordance with Security Council resolution 487 (1981) and paragraph 14 of Security Council resolution 687 (1991) and the relevant General Assembly resolutions adopted by consensus. The Group is also of the view that the conference should lead, without further delay, to universal adherence to the Treaty in the Middle East, the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction and the preservation of the credibility of the Treaty.

29. The Group of Non-Aligned States Parties to the Treaty is determined to continue pursuing, as a matter of high priority, the implementation of the 1995 resolution on the Middle East. In that regard, the Group urges all States parties at this Review Conference to shoulder their responsibility in order to prevent the further negative repercussions of not implementing the resolution on the Middle East and the 2010 plan of action.

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Preparatory Committee for the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Nuclear disarmament

Working paper submitted by the Group of Non-Aligned States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

1. The Group of Non-Aligned States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons emphasizes that the Treaty is an essential foundation for the pursuit of nuclear disarmament.

2. The Group of Non-Aligned States Parties to the Treaty reiterates that each article of the Treaty is binding on all States parties at all times and in all circumstances.

3. The Group of Non-Aligned States Parties to the Treaty reaffirms the principled positions of the Movement of Non-Aligned Countries on nuclear disarmament, which remains its highest priority, and on the related issue of nuclear non-proliferation in all its aspects. The Group stresses its deep concern at the threat to humanity posed by the continued existence of nuclear weapons and their possible use or threat of use. The Group also reaffirms that the total elimination of nuclear weapons and the legally binding assurance that they will never be produced again is the only absolute guarantee against the use or threat of use of nuclear weapons. The Group further stresses that efforts aimed at nuclear non-proliferation must be parallel to simultaneous efforts aiming at nuclear disarmament.

4. The Group of Non-Aligned States Parties to the Treaty recalls that, in pursuit of the full, effective and urgent implementation of the obligation of nuclear disarmament under article VI of the Treaty and paragraphs 3 and 4 (c) of the 1995 decision entitled "Principles and objectives for nuclear non-proliferation and disarmament", and building upon the 13 practical steps agreed to in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, in particular the unequivocal undertaking by the nuclear-weapon States to accomplish the goal of the complete elimination of their nuclear weapons, the 2010 Review Conference agreed on an action plan on nuclear disarmament, set out in the Final Document of the 2010 Review Conference, that includes concrete measures to accelerate progress towards the total elimination of nuclear weapons.

5. In this context, the Group further recalls that the nuclear-weapon States committed, in action 5 of the Final Document of the 2010 Review Conference, to accelerate concrete progress on the steps leading to nuclear disarmament, inter alia, through: (a) rapidly moving towards an overall reduction in the global stockpile of all

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types of nuclear weapons; (b) addressing the question of all nuclear weapons, regardless of their type or their location, as an integral part of the general nuclear disarmament process; (c) further diminishing the role and significance of nuclear weapons in all military and security concepts, doctrines and policies; (d) discussing policies that could prevent the use of nuclear weapons and eventually lead to their elimination, lessen the danger of nuclear war and contribute to the non-proliferation and disarmament of nuclear weapons; (e) considering the legitimate interest of non-nuclear-weapon States in further reducing the operational status of nuclear weapons systems in ways that promote international stability and security; (f) reducing the risk of accidental use of nuclear weapons; and (g) further enhancing transparency and increasing mutual confidence.

6. The Group of Non-Aligned States Parties to the Treaty expresses deep concern at the continued lack of progress in the implementation of nuclear disarmament obligations by the nuclear-weapon States, which has polarized debate and caused increasing divisions among States parties and which could undermine the object and purpose of the Treaty and the credibility of the non-proliferation regime.

7. The Group of Non-Aligned States Parties to the Treaty underlines the unanimous conclusion of the International Court of Justice that there exists an obligation to pursue in good faith and to bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.

8. In the context of the review of action 5 (c) of the Final Document of the 2010 Review Conference, the Group of Non-Aligned States Parties to the Treaty remains deeply concerned by military and security doctrines of the nuclear-weapon States that set out the rationales for the use of nuclear weapons, as demonstrated by the recent posture review by one of the nuclear-weapon States to consider expanding the circumstances in which these weapons could be used. The Group of Non-Aligned States Parties to the Treaty also remains deeply concerned by the strategic concept for the defence and security of the members of the North Atlantic Treaty Organization, which justifies the use or threat of use of nuclear weapons and maintains, unjustifiably, the concept of security based on nuclear military alliances and nuclear deterrence policies.

9. The Group of Non-Aligned States Parties to the Treaty underlines that multilateralism and multilaterally agreed solutions, in accordance with the Charter of the United Nations, provide the only sustainable method of addressing disarmament and international security issues.

10. The Group of Non-Aligned States Parties to the Treaty reiterates its strong call for the full and systematic implementation of the unequivocal undertaking given by the nuclear-weapon States at the 2000 Review Conference, including through the implementation of the 13 practical steps, to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, which was also reaffirmed by the 2010 Review Conference.

11. The Group of Non-Aligned States Parties to the Treaty recalls that, in implementing the unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals, the nuclear-weapon States, in accordance with action 3 of the Final Document of the 2010 Review Conference, have committed to undertake further efforts to reduce and ultimately eliminate all types of nuclear weapons, including through unilateral, bilateral, regional and multilateral measures. The Group expresses its disappointment over the lack of progress in the implementation of this commitment. In this regard, the Group calls for the full compliance of the nuclear-weapon States with such undertakings towards fulfilling their legal obligations under article VI of the Treaty.

12. In this connection, the Group of Non-Aligned States Parties to the Treaty emphasizes in particular the prime importance of and the urgent need for full and prompt implementation of the commitments by the nuclear-weapon States under action 5 of the action plan on nuclear disarmament of the 2010 Review Conference.

13. Noting the reports submitted to the Preparatory Committee in 2014 regarding action 5 of the Final Document of the 2010 Review Conference, the Group of Non-Aligned States Parties to the Treaty calls upon the 2020 Review Conference to take stock and consider the next steps for the full implementation of article VI of the Treaty in realization of the objective of the total elimination of nuclear weapons.

14. The Group of Non-Aligned States Parties to the Treaty welcomes the convening of the first-ever high-level meeting of the General Assembly on nuclear disarmament on 26 September 2013, and underlines that the strong support expressed at that meeting for taking urgent and effective measures to achieve the total elimination of nuclear weapons demonstrated that nuclear disarmament remains the highest priority of the international community.

15. In this context, the Group of Non-Aligned States Parties to the Treaty welcomes the adoption by the General Assembly of resolutions 68/32, 70/34, 71/71 and 72/251 entitled "Follow-up to the 2013 high-level meeting of the General Assembly on nuclear disarmament", in which, in particular, the Assembly: (a) called for the urgent commencement of negotiations in the Conference on Disarmament on effective nuclear disarmament measures to achieve the total elimination of nuclear weapons, including, in particular, on a comprehensive convention on nuclear weapons; (b) decided to convene, in New York from 14 to 16 May 2018, a United Nations high-level international conference on nuclear disarmament to review the progress made in this regard; and (c) declared 26 September as the International Day for the Total Elimination of Nuclear Weapons, as well as the adoption of resolution 69/58 on this subject. The Group calls for the full implementation of these resolutions, which provide a concrete pathway for realizing the objective of nuclear disarmament.

16. The Group of Non-Aligned States Parties to the Treaty recalls action 6 of the action plan on nuclear disarmament of the 2010 Review Conference, through which all States have agreed that the Conference on Disarmament should immediately establish a subsidiary body to deal with nuclear disarmament, within the context of an agreed, comprehensive and balanced programme of work. The Group deeply regrets the continued inflexible postures of some nuclear-weapon States that have prevented the Conference on Disarmament from establishing an ad hoc committee to negotiate on nuclear disarmament.

17. In this regard, the Group of Non-Aligned States Parties to the Treaty reaffirms the urgent necessity of negotiating and bringing to a conclusion a phased programme for the complete elimination of nuclear weapons with a specified time frame.

18. In the same vein, the Group of Non-Aligned States Parties to the Treaty reiterates its call to the Conference on Disarmament to immediately establish, as the highest priority, a subsidiary body to negotiate and conclude a comprehensive convention on nuclear weapons to prohibit their possession, development, production, acquisition, testing, stockpiling, transfer, use or threat of use and to provide for their destruction.

19. The Group of Non-Aligned States Parties to the Treaty strongly supports banning the production of fissile materials for nuclear weapons and other nuclear explosive devices and eliminating all the past production and existing stockpiles of such materials, in an irreversible and verifiable manner and taking into account both nuclear disarmament and non-proliferation objectives, without prejudice to the inalienable right of States parties to the Non-Proliferation Treaty to develop research,

production and use of nuclear energy for peaceful purposes, including their past production, existing stockpiles and future production of fissile materials under the International Atomic Energy Agency comprehensive safeguards.

20. The Group of Non-Aligned States Parties to the Treaty underlines that non-nuclear-weapon States Parties to the Treaty have already agreed to a legally binding commitment not to produce fissile materials for nuclear weapons or other nuclear explosive devices.

21. The Group of Non-Aligned States Parties to the Treaty remains deeply concerned by the lack of progress towards achieving the total elimination of nuclear weapons, despite some reports of bilateral and unilateral reductions. Any such reductions are undermined by the modernization of nuclear weapons and their delivery systems and related infrastructure by the nuclear-weapon States. In order to comply with their obligations under article VI of the Treaty, as well as with their commitments under the 13 practical steps and the action plan on nuclear disarmament of the 2010 Review Conference, the nuclear-weapon States must immediately cease their plans to further invest in modernizing, upgrading, refurbishing or extending the lives of their nuclear weapons and related facilities.

22. The Group is also concerned about the lack of tangible progress in enhancing transparency, in accordance with action 5 (g) of the action plan on nuclear disarmament of the 2010 Review Conference.

23. The Group of Non-Aligned States Parties to the Treaty, while noting the conclusion and entry into force of the New START Treaty between the Russian Federation and the United States of America, expresses concern that domestic commitments to nuclear weapon modernization in exchange for ratification of the New START Treaty undermine the minimal reductions agreed upon in it.

24. The Group of Non-Aligned States Parties to the Treaty also stresses that reductions in deployments and in operational status cannot substitute for irreversible cuts in, and the total elimination of, nuclear weapons and, accordingly, calls on the nuclear-weapon States to apply the principles of transparency, irreversibility and verifiability to all such cuts, to further reduce their nuclear arsenals, both warheads and delivery systems, thus contributing to the fulfilment of their nuclear disarmament obligations and facilitating the realization of a world free of nuclear weapons at the earliest date. The Group also recalls the commitment by the Russian Federation and the United States under action 4 of the action plan on nuclear disarmament of the 2010 Review Conference for the full implementation of the Treaty on Measures for the Further Reduction and Limitation of Strategic Offensive Arms and strongly urges them to adopt all required measures in order to achieve deeper reductions in their nuclear arsenals in realization of the objective of the total elimination of nuclear weapons.

25. The Group of Non-Aligned States Parties to the Treaty expresses concern over the negative implications of the development and deployment of anti-ballistic missile defence systems and the threat of weaponization of outer space and at the negative security consequences of the deployment of such systems, which could trigger an arms race or arms races and lead to further development of advanced missile systems and an increase in the number of nuclear weapons. The Group emphasizes the paramount importance of strict compliance with existing arms limitation and disarmament agreements relevant to outer space, including bilateral agreements, and with the existing legal regime concerning the use of outer space. The Group further emphasizes the urgent need for the commencement of substantive work, at the Conference on Disarmament, on the prevention of an arms race in outer space, in accordance with General Assembly resolution 72/26.

26. The Group of Non-Aligned States Parties to the Treaty also believes that the development and qualitative improvement of nuclear weapons and the development of advanced new types of nuclear weapons and new targeting options to serve aggressive counter-proliferation purposes and the lack of progress in diminishing the role of nuclear weapons in security policies further undermine disarmament commitments.

27. The Group of Non-Aligned States Parties to the Treaty emphasizes that the indefinite extension of the Treaty does not imply the indefinite possession by the nuclear-weapon States of their nuclear arsenals and considers, in that regard, that any assumption of indefinite possession of nuclear weapons is incompatible with the integrity and sustainability of the nuclear non-proliferation regime, both vertical and horizontal, and with the broader objective of maintaining international peace and security.

28. The Group of Non-Aligned States Parties to the Treaty further reaffirms that, pending the total elimination of nuclear weapons, it is the legitimate right of all non-nuclear-weapon States, which, in becoming parties to the Treaty have given up the nuclear weapon option, to, inter alia, receive effective, universal, unconditional, non-discriminatory and irrevocable legally binding security assurances against the use or threat of use of nuclear weapons under all circumstances.

29. The Group of Non-Aligned States Parties to the Treaty reaffirms that, in accordance with the Charter of the United Nations, States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State or in any other manner inconsistent with the principles and purposes of the United Nations.

30. In this regard, the Group of Non-Aligned States Parties to the Treaty recalls the advisory opinion of 8 July 1996 of the International Court of Justice on the legality of the threat or use of nuclear weapons that "there is in neither customary nor conventional international law any specific authorization of the threat or use of nuclear weapons" and that "the threat or use of nuclear weapons would generally be contrary to the rules of international law applicable in armed conflict, and in particular the principles and rules of humanitarian law".

31. Accordingly, the Group of Non-Aligned States Parties to the Treaty is of the view that, pending the total elimination of nuclear weapons, as the only absolute guarantee against the use or threat of use of nuclear weapons, the nuclear-weapon States shall seriously refrain, at any circumstances, from the use or threat of use of nuclear weapons against any non-nuclear-weapon States parties to the Treaty. In the view of the Group, any use or threat of use of nuclear weapons would be a crime against humanity and a violation of the principles of the Charter of the United Nations and international law, in particular international humanitarian law. The Group further believes that the mere possession of nuclear weapons is inconsistent with the principles of international humanitarian law. In this regard, the Group strongly calls for the complete exclusion of the use or threat of use of nuclear weapons from military doctrines.

32. The Group of Non-Aligned States Parties to the Treaty stresses the significance of achieving universal adherence to the Comprehensive Nuclear-Test-Ban Treaty and realizing its entry into force through its ratification by the remaining States whose ratification is required for its entry into force, including, in particular, by two nuclear-weapon States, thus contributing to the process of nuclear disarmament and the enhancement of international peace and security. The Group underlines that the nuclear-weapon States have a special responsibility to take the lead in this regard.

33. The Group of Non-Aligned States Parties to the Treaty recalls its working paper entitled "Elements for a plan of action for the elimination of nuclear weapons", which was submitted to the 2017 Preparatory Committee (see NPT/CONF.2020/PC.I/WP.23), and has presented an updated version of this plan to the 2018 Preparatory Committee.

34. The Group of Non-Aligned States Parties to the Treaty reiterates its call for the establishment, as a matter of priority, of a subsidiary body on nuclear disarmament in Main Committee I, mandated to focus on the issue of fulfilment of the obligations under article VI of the Treaty and on further practical measures required to achieve progress in that regard.

35. The Group of Non-Aligned States Parties to the Treaty expresses its determination to continue collective efforts in pursuing the realization of its priorities in the 2020 review process of the Treaty.

36. The Group of Non-Aligned States Parties to the Treaty notes with grave concern the current extensive investment, by the nuclear-weapon States, in modernizing their nuclear forces and developing more effective and newer weapons, including low-yield nuclear warheads, which, by increasing the role of these inhumane weapons in their military doctrines, lowers the threshold for the actual use of nuclear weapons. The Group strongly calls for an immediate end to this trend, which is in fact a new nuclear-arms race.

37. The Group of Non-Aligned States Parties to the Treaty reiterates, with concern, that improvements in existing nuclear weapons and the development of new types of nuclear weapons, as provided for in the military doctrines of some nuclear-weapon States, including the Nuclear Posture Review of the United States, violate those States' legal obligations on nuclear disarmament and the commitments made to diminish the role of nuclear weapons in their military and security policies, and contravene the negative security assurances provided nuclear-weapon States. The Group stresses once again that these improvements, as well as the development of new types of such weapons, violate also the commitments undertaken by the nuclear-weapon States at the time of the conclusion of the Comprehensive Nuclear-Test-Ban Treaty and at the Review Conferences.

38. The Group of Non-Aligned States Parties to the Treaty takes note of the fulfilment, by the Russian Federation and the United States, of their commitments under the New START Treaty, and calls for the renewal of the commitments agreed within the framework of that Treaty. Nonetheless, States members of the Group of Non-Aligned States Parties to the Treaty express their grave concern over the policies expressed in the Nuclear Posture Review and national security strategy of the United States, which run counter to its legal obligations under the Non-Proliferation Treaty and its unequivocal undertakings under the Final Documents of the Review Conferences to accomplish the total elimination of its nuclear arsenals. The Group also condemns such policies, which threaten international peace and security.

39. The Group of Non-Aligned States Parties to the Treaty commends the efforts of the States members of the Movement of Non-Aligned Countries in advancing the goal of nuclear disarmament. In this regard, it welcomes the convening, at the initiative of the Movement, under resolution 72/251, of the upcoming United Nations high-level international conference on nuclear disarmament, to be held from 14 to 16 May 2018 in New York, as a follow-up to the first-ever high-level meeting of the General Assembly on nuclear disarmament on 26 September 2013, to review the progress made in this regard. Taking into account the contribution that this conference will make to furthering the objective of nuclear disarmament, the Group urges all States parties to the Treaty to participate in the conference at the highest level.

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Nuclear testing

Working paper submitted by the Group of Non-Aligned States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

1. The Group of Non-Aligned States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons reaffirms that the only way to rid the world of the threat or use of nuclear weapons is their total elimination. In this regard, the Comprehensive Nuclear-Test-Ban Treaty is a practical step on the road to nuclear disarmament and, therefore, cannot substitute for the objective of complete elimination of nuclear weapons.

2. While underlining the significance of achieving the entry into force of the Comprehensive Nuclear-Test-Ban Treaty, the Group of Non-Aligned States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons strongly calls for immediate and unconditional cessation of all nuclear weapon tests and the closure of all nuclear weapon test sites. In this regard, the Group is of the firm view that all States parties that have not yet done so should close and dismantle, as soon as feasible and in a transparent, irreversible and verifiable manner, any remaining sites for nuclear test explosions and their associated infrastructure, and should prohibit completely nuclear weapons research and development, and also refrain from conducting nuclear weapon test explosions or any other nuclear explosions, or nuclear weapon test explosions in alternative ways, as well as from the use of new technologies for upgrading existing nuclear weapons systems, which would defeat the object and purpose of the Comprehensive Nuclear-Test-Ban Treaty.

3. The Group of Non-Aligned States Parties to the Treaty recalls and reaffirms once again the commitment of all States parties, in particular the nuclear-weapon States, to ending all nuclear weapon test explosions and any other nuclear explosions, thereby constraining the development and qualitative improvement of nuclear weapons and ending the development of advanced new types of nuclear weapons. In this regard, the Group expresses grave concern about nuclear weapon test explosions in alternative ways, as well as the use of new technologies for upgrading existing nuclear weapons systems and the development of new types of nuclear weapons, which may result in the resumption of tests and a lowering of the nuclear threshold. Accordingly, the Group strongly calls on the nuclear-weapon States to put an immediate end to such activities and to refrain from any other action that would defeat

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the object and purpose of the Comprehensive Nuclear-Test-Ban Treaty, pending its entry into force.

4. The Group of Non-Aligned States Parties to the Treaty stresses that the improvement of existing nuclear weapons and the development of new types of nuclear weapons contravene even the mere and still conditional, very limited and insufficient statements on negative security assurances provided by the nuclear-weapon States and violate their commitments undertaken at the time of the conclusion of the Comprehensive Nuclear-Test-Ban Treaty.

5. The Group of Non-Aligned States Parties to the Treaty welcomes the signature of the Comprehensive Nuclear-Test-Ban Treaty by 183 States and its ratification by 166 States. In this context, the ratifications of Angola, the Congo, Guinea-Bissau, Iraq, Myanmar, Niue and Swaziland are welcomed. The Group, in accordance with its long-standing and principled position in favour of the total elimination of all forms of nuclear weapons, supports the objectives of the Treaty, which is intended to enforce a comprehensive ban on all nuclear test explosions and to stop the qualitative development of nuclear weapons in order to pave the way towards the total elimination of nuclear weapons.

6. The Group of Non-Aligned States Parties to the Treaty stresses the significance of achieving universal adherence to the Comprehensive Nuclear-Test-Ban Treaty, including by all the nuclear-weapon States, which, inter alia, should contribute to the process of nuclear disarmament. The Group reiterates that if the objectives of the Treaty were to be fully realized, the continued commitment to nuclear disarmament of all States signatories, especially the nuclear-weapon States, would be essential.

7. The Group of Non-Aligned States Parties to the Treaty believes that the five nuclear-weapon States have a special responsibility to ensure the entry into force of the Comprehensive Nuclear-Test-Ban Treaty, not only because they are among the 44 States listed in annex 2 to the Treaty, but also because, on account of their position, they are expected to lead in making the ban on tests a reality. It will be possible to determine the success of the Comprehensive Nuclear-Test-Ban Treaty only when it has been signed and ratified, in particular by the five nuclear-weapon States and by those that have not acceded to the Treaty on the Non-Proliferation of Nuclear Weapons and continue to operate unsafeguarded nuclear facilities. The Group is of the firm belief that the early achievement of the goal of universality of the Treaty on the Non-Proliferation of Nuclear Weapons, through the accession of the only non-parties to this instrument, would be essential to achieving the objective of nuclear disarmament and the non-proliferation of nuclear weapons.

8. The Group of Non-Aligned States Parties to the Treaty reaffirms that positive decisions by the nuclear-weapon States would have the desired impact on facilitating progress towards the entry into force of the Comprehensive Nuclear-Test-Ban Treaty. Early ratification of this Treaty by the nuclear-weapon States would pave the way and encourage the remaining required countries, especially those with unsafeguarded nuclear facilities, to sign and ratify the Treaty. The failure of one major nuclear-weapon State to ratify the Treaty, and its not supporting the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization through rejection of one of the main elements of the Treaty's verification regime, is undermining this important instrument against nuclear testing.

9. The Group of Non-Aligned States Parties to the Treaty recalls the undertaking by the nuclear-weapon States at the time of the negotiation of the Comprehensive Nuclear-Test-Ban Treaty to ensure that the Treaty would halt both vertical and horizontal proliferation, thereby preventing the appearance of new types of nuclear devices and of nuclear weapons based on new physical principles. The nuclear-weapon States stated at that time that the only steps to be followed would be to

maintain the safety and reliability of the remaining or existing weapons, which would not involve nuclear explosions. In that regard, the Group calls upon those States to continue to refrain from conducting any type of nuclear test for the modernization, development or further improvement of nuclear weapons. The Group wishes to re-emphasize the principles of the non-proliferation regime, both vertical and horizontal.

10. The Group of Non-Aligned States Parties to the Treaty underscores the importance of the five nuclear-weapon States maintaining and observing their unilateral moratoriums on nuclear weapon tests since the opening for signature of the Comprehensive Nuclear-Test-Ban Treaty. However, the Group believes that those moratoriums do not substitute for the entry into force of the Treaty and its ratification.

11. The Group of Non-Aligned States Parties to the Treaty emphasizes that the modernization or development of new types of nuclear weapons is contrary to the assurances given by the five nuclear-weapon States at the time of the conclusion of the Comprehensive Nuclear-Test-Ban Treaty, namely, that the Treaty would prevent the improvement of existing nuclear weapons and the development of new types of nuclear weapons. Pending the entry into force of the Treaty, States should refrain from any actions contrary to its objectives and purpose. In this context, the Group is seriously concerned by the decision of a nuclear-weapon State to reduce the time necessary to resume nuclear testing to 18 months as a setback to the agreements reached at the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. It is the view of the Group that such decisions undermine the validity of the commitment to declared moratoriums as well as the commitments under the Final Document of the 2000 Review Conference, in which the ratification of the Comprehensive Nuclear-Test-Ban Treaty was envisaged as the first of 13 practical steps leading to nuclear disarmament. The lack of progress in the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty also remains a cause for concern.

12. The Group of Non-Aligned States Parties to the Treaty underlines the need for increased attention to the problems of safety and contamination related to the discontinuation of nuclear operations formerly associated with nuclear weapons programmes, including, where appropriate, the safe resettlement of any displaced human populations and the restoration of economic productivity to affected areas. In this regard, the Group acknowledges the existence of a special responsibility towards the affected people and areas, including those in the former United Nations Trust Territories that have been adversely affected as a result of nuclear weapon tests conducted in the past.

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Nuclear-weapon-free zones

Working paper submitted by the Group of Non-Aligned States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

1. The Group of Non-Aligned States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons reaffirms that the Treaty recognizes the right of any group of States to conclude regional treaties in order to ensure the total absence of nuclear weapons in their respective territories, which the Group considers to be an important step towards strengthening nuclear disarmament and nuclear non-proliferation regimes. The Group is, therefore, of the firm belief that the establishment of nuclear-weapon-free zones is not a substitute for nuclear disarmament and the total elimination of nuclear weapons. In this regard, the Group underlines the importance of the early fulfilment of the legal obligations of and unequivocal undertakings by the nuclear-weapon States to eliminate all their nuclear weapons.

2. The Group of Non-Aligned States Parties to the Treaty welcomes the establishment of the nuclear-weapon-free zones created under the treaties of Tlatelolco (Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean), Rarotonga (South Pacific Nuclear Free Zone Treaty), Bangkok (Treaty on the Southeast Asia Nuclear Weapon-Free Zone, Pelindaba (African Nuclear-Weapon-Free Zone Treaty) and Semipalatinsk (Treaty on a Nuclear-Weapon-Free Zone in Central Asia) and considers them positive steps and important measures towards attaining the objective of global nuclear disarmament and the non-proliferation of nuclear weapons. In this regard, the Group welcomes the efforts aimed at establishing other nuclear-weapon-free zones worldwide and calls for cooperation and broad consultation among the States of the regions concerned to conclude agreements establishing such zones.

3. In this context, the Group of Non-Aligned States Parties to the Treaty strongly supports the establishment of a nuclear-weapon-free zone in the Middle East and calls for the full implementation of the 1995 resolution on the Middle East, which is an integral and essential part of the package of decisions reached without a vote that enabled the indefinite extension of the Treaty on the Non-Proliferation of Nuclear Weapons in 1995. The resolution remains valid until its objectives are achieved. Furthermore, the Group of Non-Aligned States Parties to the Treaty expresses its disappointment that, as a result of the opposition by Canada, the United Kingdom of Great Britain and Northern Ireland and the United States of America at the concluding

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session of the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, consensus on measures regarding the process to establish a Middle East zone free of nuclear weapons and all other weapons of mass destruction was not achieved.

4. The Group of Non-Aligned States Parties to the Treaty reiterates that, pending the total elimination of nuclear weapons and in order to strengthen the non-proliferation regime, it is the legitimate right of all non-nuclear-weapon States parties to the Treaty to receive effective, universal, unconditional, non-discriminatory, irrevocable and legally binding security assurances against the use or threat of use of nuclear weapons. The Group reaffirms that, in the context of the nuclear-weapon-free zones, it is also essential that all the nuclear-weapon States provide unconditional, non-discriminatory and concrete legal assurances against the use or threat of use of nuclear weapons to all non-nuclear-weapon States of the zone that are parties to the Treaty on the Non-Proliferation of Nuclear Weapons. In this regard, the Group strongly calls for the withdrawal of any related reservations or unilateral interpretative declarations that are incompatible with the object and purpose of the treaties to establish nuclear-weapon-free zones. The Group further calls upon the nuclear-weapon States to fulfil their obligations to achieve the objectives of such treaties and their protocols.

5. The Group of Non-Aligned States Parties to the Treaty, while commemorating the fiftieth anniversary of the entry into force of the Treaty of Tlatelolco, emphasizes the need to strengthen the integrity of the statute of denuclearization provided for in that Treaty by reviewing the declarations that were formulated by the nuclear-weapon States parties to Additional Protocols I and II thereto, for possible withdrawal or modification.

6. The Group of Non-Aligned States Parties to the Treaty urges States to conclude agreements with a view to establishing new nuclear-weapon-free zones in regions where they do not exist, in accordance with the relevant paragraphs of the Final Document of the first special session of the General Assembly devoted to disarmament (see A/S-10/4) and the principles and guidelines adopted by the Disarmament Commission at its 1999 substantive session. In this context, the Group considers that the further institutionalization of the nuclear-weapon-free status of Mongolia would be an important step towards strengthening the non-proliferation regime in that region.

7. The Group of Non-Aligned States Parties to the Treaty, recalling the convening of the third Conference of States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia, held in New York on 24 April 2015, calls upon the States parties and signatories to those treaties to put in place further forms of cooperation among themselves, their treaty agencies and other interested States.

8. The Group of Non-Aligned States Parties to the Treaty stresses the importance of the ratification by the nuclear-weapon States of the relevant protocols to the treaties of Pelindaba, Rarotonga, Semipalatinsk and Bangkok in order to ensure the total absence of nuclear weapons in the territories of the States parties to those treaties, as envisaged in article VII of the Treaty on the Non-Proliferation of Nuclear Weapons.

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The inalienable right to develop research, production and uses of nuclear energy for peaceful purposes

Working paper submitted by the Group of Non-Aligned States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

1. The Group of Non-Aligned States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons emphasizes once more that promoting international cooperation in the peaceful uses of nuclear energy for the realization of "the inalienable right of all the parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II of this Treaty", as stipulated in its article IV, constitutes one of the fundamental objectives of the Treaty. The Group strongly calls upon all States parties to the Treaty to fully respect this inalienable right and underscores that nothing in the Treaty shall be interpreted as affecting this right.

2. The Group of Non-Aligned States Parties to the Treaty also reaffirms the importance of the right of States parties to participate in the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy, as well as their right to cooperate among themselves, in particular in the technological field, in contributing alone or together with other States or international organizations to the further development of the applications of nuclear energy for peaceful purposes, with due consideration for the needs of the developing areas of the world.

3. The Group of Non-Aligned States Parties to the Treaty is of the firm belief that the full, effective and non-discriminatory implementation of article IV of the Treaty plays a crucial role in achieving the object and purpose of the Treaty. In this regard, the Group also firmly believes that any measure aimed at hampering, fully or partly, the fullest exercise of these inalienable rights would seriously jeopardize the delicate balance between rights and obligations of States parties, in contravention of the Treaty's object and purpose, and would widen the gap between developed and developing countries in that field.

4. The Group of Non-Aligned States Parties to the Treaty recalls that the statute of the International Atomic Energy Agency (IAEA) also stipulates the right of member States to use atomic energy for peaceful purposes and to promote socioeconomic development by way of technical cooperation and the production of electric power,

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with due consideration for the needs of developing countries. To ensure the realization of these goals, all States parties, developed ones in particular, shall extend their assistance, as requested by States parties that are States members of IAEA, in the provision of nuclear equipment, material, technology and scientific and technological information for peaceful purposes, with a view to achieving the maximum benefits and applying pertinent elements of sustainable development in their activities for peaceful purposes.

5. In this connection, the Group of Non-Aligned States Parties to the Treaty recognizes the major and important role of IAEA in assisting, in particular developing States parties to the Treaty, in planning for and the use of nuclear science and technology. The Group stresses the importance of nuclear knowledge-sharing and the transfer of nuclear technology to developing countries for the sustaining and further enhancement of their scientific and technological capabilities, thereby also contributing to their socioeconomic development. Moreover, the Group underlines that the activities of IAEA in the field of technical cooperation, nuclear power and non-power applications contribute in an important way to meeting energy needs, improving human health, including the application of nuclear technology in cancer therapy, combating poverty, protecting the environment, developing agriculture, managing the use of water resources and optimizing industrial processes, and that these activities, as well as bilateral and other multilateral cooperation, contribute to achieving the objectives set forth in article IV of the Treaty.

6. The Group of Non-Aligned States Parties to the Treaty stresses that the IAEA technical cooperation programme, as the main vehicle for the transfer of nuclear technology for peaceful purposes, should continue to be formulated and implemented in accordance with the IAEA statute and the agreed guiding principles as contained in INFCIRC/267, as well as the decisions of the IAEA policymaking organs. The Group reiterates that the current guidelines and criteria for the selection of technical cooperation projects are robust and effective, and that no additional criteria should be imposed for fulfilling the above objectives.

7. The Group of Non-Aligned States Parties to the Treaty recalls that IAEA and its then-Director General, Mohamed ElBaradei, were awarded the 2005 Nobel Peace Prize, and reiterates the importance it attaches to the impartiality, professionalism and integrity of IAEA. While expressing its full confidence in the impartiality and professionalism of IAEA, the Group strongly rejects any attempts by any State to politicize the work of IAEA, including its technical cooperation programme, in violation of its statute, as well as any pressure on or interference in the Agency's activities that could jeopardize the efficiency and credibility of IAEA. In this connection, the Group also expresses its rejection of any attempts by any State party to use the IAEA technical cooperation programme as a tool for political purposes, which is in violation of the statute of IAEA. The Group reaffirms that the choices and decisions of each State party to the Treaty in the field of peaceful uses of nuclear energy should be fully respected without jeopardizing that State's policies or international cooperation agreements and arrangements for peaceful uses of nuclear energy and its fuel-cycle policies.

8. In this regard, while recognizing that a diverse portfolio of energy sources will be needed to allow access to sustainable energy and electricity resources in all regions of the world, and that States parties may pursue different ways to achieve their energy security and climate protection goals, the Group of Non-Aligned States Parties to the Treaty once again acknowledges and reaffirms that each State party to the Treaty has the sovereign right to define its national energy policies, including fuel-cycle policies, in accordance with its national requirements and its rights and obligations under the Treaty.

9. The Group of Non-Aligned States Parties to the Treaty stresses that multilateral approaches to the nuclear fuel cycle, including proposals for assurance of supply in response to the needs of interested States, shall fully take into account all technical, legal, political and economic complexities surrounding these issues, and be conducted through wide, integral, comprehensive and transparent multilateral consultations and negotiations. The multilateral approaches to the nuclear fuel cycle should be economically viable, sustainable, non-discriminatory, predictable and transparent under the auspices of IAEA, as well as other possible regional and multilateral forums. The Group also stresses that any decision on proposals regarding multilateral approaches to the nuclear fuel cycle shall be made by consensus taking into account the interests of all member States, with the participation of all IAEA member States, and that any proposal from IAEA must be consistent with its statute, without prejudice to the inalienable right of States parties to the Treaty, if they so decide, to develop a full national fuel cycle, in accordance with article IV of the Treaty.

10. The Group of Non-Aligned States Parties to the Treaty underlines that "all the parties to the Treaty undertake to facilitate, and have the right to participate in, the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy" (art. IV, para. 2). In this regard, the Group stresses particularly the obligation of developed countries to promote the legitimate need of the developing countries for nuclear energy, by fully respecting this right with a view to achieving the widest benefits and applying pertinent elements of sustainable development in their activities.

11. The Group of Non-Aligned States Parties to the Treaty underlines the contribution that uses of nuclear energy can make to progress in general and to helping overcome the technological and economic disparities between developed and developing States parties to the Treaty in particular. The Group firmly believes that as a fundamental principle, in all activities designed to promote the peaceful uses of nuclear energy, preferential treatment shall be given to the non-nuclear-weapon States parties to the Treaty, taking particularly the needs of developing countries into account.

12. The Group of Non-Aligned States Parties to the Treaty expresses its deep concern about the continued imposition and/or maintaining of limitations and restrictions on exports to developing countries of nuclear material, equipment and technology for peaceful purposes, which is inconsistent with the provisions of the Treaty. In this regard, the Group stresses that the technical cooperation and assistance provided by IAEA in meeting the needs of its member States for material, equipment and technology for peaceful uses of nuclear energy shall not be subject to any political, economic, military or other conditions incompatible with the provisions of its statute. The Group therefore strongly calls for the immediate removal of any restrictions or limitations imposed on peaceful uses of nuclear energy that are incompatible with the provisions of the Treaty. In the view of the Group, transfers of nuclear technology and international cooperation among States parties in conformity with the Treaty shall be supported and pursued in good faith without discrimination. The elimination of constraints inconsistent with the requirements of the Treaty would ensure that article IV of the Treaty is fully implemented with regard to the facilitation of transfer of nuclear material, equipment and technological information for peaceful purposes among the States parties.

13. The Group of Non-Aligned States Parties to the Treaty emphasizes that the Treaty does not prohibit the transfer or use of nuclear technology, equipment or material for peaceful purposes based on their "sensitivity", and only stipulates that such technology, equipment and material must be subject to the full scope of IAEA safeguards. The Group firmly believes that fostering the development of the peaceful uses of nuclear energy by providing a framework of confidence and cooperation

within which those uses can take place is one of the fundamental objectives of the Treaty. Moreover, the Group emphasizes that cooperation to accelerate and enlarge the contribution of atomic energy to peace, health and prosperity throughout the world is the core objective enshrined in the IAEA statute. Accordingly, the Group strongly encourages all States parties to actively cooperate, among themselves and through IAEA, in the peaceful uses and applications of nuclear energy, including through international technical cooperation.

14. The Group of Non-Aligned States Parties to the Treaty emphasizes that proliferation concerns are best addressed through multilaterally negotiated, universal, comprehensive and non-discriminatory agreements. The Group further emphasizes that non-proliferation control arrangements should be transparent and open to participation by all States, and should not impose restrictions on access to material, equipment and technology for peaceful purposes required by developing countries for their continued development. Furthermore, such arrangements must pursue and implement, without exception, the condition of adherence to IAEA comprehensive safeguards and to the Treaty on the Non-Proliferation of Nuclear Weapons as a condition for supply to or cooperation with States that are not parties to the Treaty.

15. The Group of Non-Aligned States Parties to the Treaty remains deeply concerned about the ability of certain States that are not parties to the Treaty to obtain, in particular from some nuclear-weapon States, nuclear materials, technology and know-how to develop nuclear weapons. The Group strongly calls for the enforcement, without exception or further delay, of the total and complete prohibition, as stipulated in the Treaty, of the transfer of all nuclear-related equipment, information, material and facilities, resources or devices, and of the extension of assistance in the nuclear, scientific or technological fields, to States that are not parties to the Treaty.

16. The Group of Non-Aligned States Parties to the Treaty underscores that IAEA, under its statutory obligations, pursues the goals of technical cooperation in peaceful applications of nuclear energy as one of the three pillars of its activities. In order to meet the objectives of peaceful purposes as enshrined in the statute of IAEA and in the Treaty, IAEA has to maintain the balance between technical cooperation and other activities. The Group believes that all States parties to the Treaty that are States members of IAEA have to ensure that the technical cooperation programme remains firm and sustainable through sufficient, assured and predictable financial and human resources. In this regard, the efficacy of the technical cooperation programme can best be ensured by the formulation of the programme and the strategies strictly in accordance with the needs and the requests of the developing countries.

17. The Group of Non-Aligned States Parties to the Treaty affirms the need to strengthen the radiological safety and protection systems at facilities utilizing radioactive materials as well as at radioactive waste management facilities, including the safe transportation of these materials. The Group reaffirms the need to strengthen existing international regulations relating to the safety and security of transportation of such materials. While reiterating the need to take necessary measures to prevent any dumping of nuclear or radioactive wastes, the Group calls for effective implementation of the IAEA Code of Practice on the International Transboundary Movement of Radioactive Waste as a means of enhancing the protection of all States from the dumping of radioactive wastes on their territories.

18. The Group recognizes that the primary responsibility for nuclear safety rests with individual States. The Group reaffirms the central role of IAEA in nuclear-safety-related matters including through the establishment of nuclear safety standards. The Group stresses that IAEA must retain its centrality in this field, owing to its mandatory functions and long-standing expertise. The Group stresses that any possible review of nuclear safety standards at the global level must be carried out

within IAEA in an inclusive, gradual and transparent manner and in consultation with and based on the guidance and participation of all member States, and shall incorporate the views of all member States. The Group also calls for the implementation of the Action Plan on Nuclear Safety endorsed by the IAEA General Conference in September 2011.

19. The Group emphasizes that measures and initiatives aimed at strengthening nuclear safety and nuclear security must not be used as a pretext or leverage to violate, deny or restrict the inalienable right of developing countries to develop research, production and use of nuclear energy for peaceful purposes without discrimination.

20. The Group of Non-Aligned States Parties to the Treaty emphasizes that non-proliferation must be pursued and implemented, without exception, through the strict observance of, and adherence to, IAEA comprehensive safeguards and the Treaty as a condition for any cooperation in the nuclear area with States that are not parties to the Treaty. In the view of the Group, new supply arrangements for the transfer of source or special fissionable material or equipment or material especially designed or prepared for the processing, use or production of special fissionable material to non-nuclear-weapon States should require, as a necessary precondition, acceptance of the full scope of IAEA safeguards and internationally legally binding commitments not to acquire nuclear weapons or other nuclear explosive devices.

21. In this regard, the Group of Non-Aligned States Parties to the Treaty underscores the strong call by the 2010 Review Conference of the Treaty that all States parties shall ensure that their nuclear-related exports do not directly or indirectly assist the development of nuclear weapons or other nuclear explosive devices and that such exports are in full conformity with the objectives and purposes of the Treaty as stipulated, particularly, in articles I, II and III of the Treaty, as well as the decision on principles and objectives for nuclear non-proliferation and disarmament adopted in 1995 by the Review and Extension Conference of the Parties to the Treaty.

22. The Group of Non-Aligned States Parties to the Treaty once again reaffirms the inviolability of peaceful nuclear activities and that any attack or threat of attack against peaceful nuclear facilities, operational or under construction, poses a great danger to human beings and the environment, and constitutes a grave violation of international law, the principles and purposes of the Charter of the United Nations and the regulations of IAEA. In this regard, the Group recognizes the need for a comprehensive, multilaterally negotiated instrument prohibiting attacks, or the threat of attacks, on nuclear facilities devoted to peaceful uses of nuclear energy. Moreover, the Group strongly calls upon all States, in accordance with the purpose and principles of the Charter, to refrain from attack or threat to attack nuclear facilities, operational or under construction, devoted to peaceful purposes.

23. The Group of Non-Aligned States Parties to the Treaty expresses its serious concern over certain unilateral, politically motivated attempts to hamper States parties from exercising their inalienable rights to develop research, production and use of nuclear energy for peaceful purposes, and believes, in this regard, that interpretations in the application of safeguards shall not be used as a tool to that end. In the view of the Group, article III, while providing for the undertaking by each non-nuclear-weapon State to conclude safeguards agreements with IAEA, is equally explicit in articulating that the implementation of such safeguards shall be "in a manner designed to comply with article IV of this Treaty, and to avoid hampering the economic or technological development of the parties or international cooperation in the field of peaceful nuclear activities, including the international exchange of nuclear material and equipment for the processing, use or production of nuclear material for peaceful purposes".

24. The Group of Non-Aligned States Parties to the Treaty, while stressing the importance of safeguards and the significance of maintaining the principles of confidentiality regarding safeguards, underlines the vital responsibility of IAEA in this regard. Since the Agency is the only organization that receives highly confidential and sensitive information on the nuclear facilities of member States, and given the undesirable incidents of leakage of such information, the Group emphasizes that the confidentiality of such information shall be fully respected and that the regime for their protection needs to be greatly strengthened. In the view of the Group, safeguards-related confidential information should not be provided in any way to any party not authorized by the Agency.

25. The Group of Non-Aligned States Parties to the Treaty is determined to propose during the 2020 review process of the Treaty measures required to ensure that the inalienable rights of all States parties under the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination are fully protected.

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Safeguards

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1. The Group of Non-Aligned States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons expresses its strong concern at the growing resort to unilateralism and unilaterally imposed prescriptions and, in this context, strongly underlines and affirms that multilateralism and multilaterally agreed solutions, in accordance with the Charter of the United Nations, provide the only sustainable method of addressing disarmament and international security issues. In this regard, the Group underlines that the multilateral mechanism established by the International Atomic Energy Agency (IAEA) is the most appropriate way to address verification and safeguards issues. At the same time, the Group emphasizes that the work of the Agency with regard to safeguards and verification has to be conducted in accordance with the provisions of its statute and safeguards agreements.

2. The Group of Non-Aligned States Parties to the Treaty stresses the importance of the IAEA safeguards system and urges all States that have yet to bring into force comprehensive safeguards agreements to do so as soon as possible, in order to achieve the universality of comprehensive safeguards. The 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons considered the universality of comprehensive safeguards as a main objective in order to consolidate and enhance the verification system for the non-proliferation regime. However, in the view of the Group, additional measures related to safeguards shall not affect the rights of the non-nuclear-weapon States parties to the Treaty, which are already committed to the non-proliferation of nuclear weapons and have renounced the nuclear-weapon option. The Group further stresses that efforts aimed at nuclear non-proliferation must be parallel to simultaneous efforts aimed at nuclear disarmament.

3. The Group of Non-Aligned States Parties to the Treaty emphasizes that strict observance of and adherence to IAEA comprehensive safeguards and the Treaty are a condition for any cooperation in the nuclear area with States not parties to the Treaty, or for any supply arrangement with such States for the transfer of source or special fissionable material, or equipment or material specially designed or prepared for the processing, use or production of special fissionable material. The Group of Non-Aligned States Parties to the Treaty confirms that all States parties to the Treaty

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shall refrain from the transfer of nuclear technology and materials to States not parties to the Treaty unless those conditions are met.

4. The Group of Non-Aligned States Parties to the Treaty calls upon all States not parties to the Treaty to accede, without any further delay or preconditions and as non-nuclear-weapon States, to the Treaty and to place all their nuclear facilities under IAEA full-scope safeguards.

5. The Group also calls upon the nuclear-weapon States to undertake to accept full-scope safeguards. This is to be set forth in an agreement to be concluded with IAEA in accordance with its statute, for the exclusive purpose of verifying the fulfilment of the obligations of the nuclear-weapon States assumed under this Treaty. In the view of the Group of Non-Aligned States Parties to the Treaty, such an agreement would be concluded with the aim of:

(a) Ensuring full compliance with the obligations assumed under article I of the Non-Proliferation Treaty;

(b) Providing baseline data regarding the fulfilment of obligations on nuclear disarmament and preventing further diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices;

(c) Strictly observing the prohibition of the transfer, which is inconsistent with the provisions, the object and the purpose of the Treaty, of any nuclear-related equipment, information, materials and facilities, resources or devices and the extension of assistance in the nuclear scientific or technological fields to States not parties to the Treaty, without exception.

6. The Group of Non-Aligned States Parties to the Treaty confirms that the obligation under article III of the Treaty to verify the peaceful nature of nuclear programmes provides credible assurances enabling States parties to engage in the transfer of nuclear equipment, materials and technology for peaceful purposes, in accordance with article IV of the Treaty. Therefore, States parties to the Treaty are called upon to refrain from imposing or maintaining any restrictions or limitations on the transfer of nuclear equipment, materials and technology to States parties with comprehensive safeguards agreements.

7. The Group of Non-Aligned States Parties to the Treaty fully recognizes that IAEA, an independent intergovernmental, science- and technology-based organization, is the sole competent authority responsible for the verification of the fulfilment of safeguards obligations assumed by States parties under the Treaty, with a view to preventing the diversion of nuclear material and technology from peaceful uses to nuclear weapons or other nuclear explosive devices, as well as the global focal point for nuclear technical cooperation.

8. The Group of Non-Aligned States Parties to the Treaty emphasizes that it is fundamental to make a clear distinction between legal obligations and voluntary confidence-building measures and that such voluntary undertakings shall not be turned into legal safeguards obligations. In this regard, the Group also emphasizes that IAEA shall ensure that it avoids any ultra vires acts that would jeopardize its integrity and credibility. The Group urges States parties to the Treaty to maintain and strengthen the technical character of IAEA consistent with its statute.

9. With respect to the financial aspects of safeguards, the Group of Non-Aligned States Parties to the Treaty believes that the differentiated nature of the financial obligations undertaken by member States of IAEA should be recognized and respected by the Agency in its work.

10. The Group of Non-Aligned States Parties to the Treaty underscores the need to strictly observe the principle of balance between the promotional and other statutory activities of the Agency, in particular verification and safeguards-related activities.

11. The Group of Non-Aligned States Parties to the Treaty underlines the essential responsibility of IAEA to maintain and observe fully the principle of confidentiality regarding all information related to the implementation of safeguards, including reporting, in accordance with the Agency's statute and safeguards agreements. Since the Agency is the only organization that receives highly confidential and sensitive information on the nuclear facilities of member States, and given the undesirable incidents of leaks of such information, the Group emphasizes that the confidentiality of such information shall be fully respected and that the Agency's relevant regime pertaining to the protection of confidential information needs to be further strengthened. Hence, in the view of the Group, safeguards-related confidential information should not be provided in any way to any party not authorized by the Agency.

12. In this context, the Group of Non-Aligned States Parties to the Treaty calls for the implementation of resolution GC(61)/RES/12 on strengthening the effectiveness and improving the efficiency of Agency safeguards, adopted by the General Conference of the Agency at its sixty-first session, in which the General Conference, "stressing the importance of maintaining and observing fully the principle of confidentiality regarding all information related to the implementation of safeguards in accordance with the Agency's statute and safeguards agreements", acknowledged the concerns expressed by the Director General on the need to protect safeguards confidential information within the Secretariat and his announcement of additional measures to protect such information, accordingly urged the Director General "to exercise the highest vigilance in ensuring the proper protection of classified safeguards information" and requested that he "continue to review and update the established procedure for the stringent protection of classified safeguards information".

13. The Group of Non-Aligned States Parties to the Treaty underlines the necessity that the reporting of IAEA on the implementation of safeguards be factual and technically based and reflect appropriate references to the relevant provisions of safeguards agreements, while ensuring the protection of confidential information.

14. The Group of Non-Aligned States Parties to the Treaty stresses the need to strictly observe the provisions of the IAEA statute, including article XII, which outlines the mandate of the Agency to verify compliance with safeguards agreements and, in particular, that any non-compliance has first to be reported by the Agency's inspectors.

15. The Group of Non-Aligned States Parties to the Treaty stresses the statutory role of IAEA in nuclear disarmament, including applying safeguards to nuclear materials derived from the dismantling of nuclear weapons, and recognizes the capability of the Agency to verify nuclear disarmament agreements.

16. The Group of Non-Aligned States Parties to the Treaty expresses its serious concern about certain unilateral politically motivated attempts to hamper States parties from exercising their inalienable rights to develop research, production and use of nuclear energy for peaceful purposes and believes in this regard that interpretations in the application of safeguards shall not be used as a tool to that end. In the view of the Group, article III of the Treaty, while providing for the undertaking by each non-nuclear-weapon State to conclude safeguards agreements with IAEA, is equally explicit in articulating that the implementation of such safeguards shall be "in a manner designed to comply with article IV of this Treaty, and to avoid hampering the economic or technological development of the parties or international cooperation in the field of peaceful nuclear activities, including the international exchange of nuclear material and equipment for the processing, use or production of nuclear material for peaceful purposes".

Preparatory Committee for the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Security assurances against the use or threat of use of nuclear weapons

Working paper submitted by the Group of Non-Aligned States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

1. The Group of Non-Aligned States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons reaffirms its view that the total elimination of nuclear weapons and the legally binding assurance that they will never be produced again is the only absolute guarantee against the use or threat of use of nuclear weapons. The Group is of the firm belief that, pending the total elimination of nuclear weapons, it is the legitimate right of all non-nuclear-weapon States that have given up the nuclear-weapon option by becoming parties to the Treaty to receive effective, universal, unconditional, non-discriminatory and irrevocable legally binding security assurances against the use or threat of use of nuclear weapons under all circumstances.

2. The Group of Non-Aligned States Parties to the Treaty stresses that the granting of such assurances by all five nuclear-weapon States parties to all non-nuclear-weapon States parties is a commitment the fulfilment of which provides an essential security benefit to the States parties to the Treaty and is necessary to strengthen the nuclear disarmament and non-proliferation regime and its credibility.

3. The Group of Non-Aligned States Parties to the Treaty expresses its concern that, in spite of long-standing requests by non-nuclear-weapon States parties to the Treaty to receive legally binding, effective, unconditional, non-discriminatory and irrevocable negative security assurances, no tangible progress has been made in that regard.

4. In that regard, the Group of Non-Aligned States Parties to the Treaty takes note of the unilateral statements by each of the nuclear-weapon States, in which they give very limited, conditional and insufficient security assurances against the use of nuclear weapons to non-nuclear-weapon States parties to the Treaty. It is the view of the Group that such unilateral statements fail to meet any of the requirements of universal, legally binding, effective, unconditional, non-discriminatory and irrevocable security assurances to all non-nuclear-weapon States parties to the Treaty against the use or threat of use of nuclear weapons.

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5. The Group of Non-Aligned States Parties to the Treaty recalls that, at successive conferences of Heads of State or Government of the Movement of Non-Aligned Countries and ministerial conferences of the Movement, it has been reiterated that improvements in existing nuclear weapons and the development of new types of nuclear weapons, such as those envisaged in the Nuclear Posture Review of the United States of America, contravene the commitments undertaken by the nuclear-weapon States at the time of the conclusion of the Comprehensive Nuclear-Test-Ban Treaty.

6. The Group of Non-Aligned States Parties to the Treaty emphasizes that the indefinite extension of the Treaty does not imply the indefinite possession by the nuclear-weapon States of their nuclear arsenals and considers, in that regard, that any assumption of indefinite possession of nuclear weapons is incompatible with the integrity and both the vertical and horizontal sustainability of the nuclear non-proliferation regime and with the broader objective of maintaining international peace and security.

7. The Group of Non-Aligned States Parties to the Treaty reaffirms that, in accordance with the Charter of the United Nations, States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations. Recalling the advisory opinion of the International Court of Justice of 8 July 1996 on the legality of the threat or use of nuclear weapons, the Group believes that, pending the total elimination of nuclear weapons, which is the only absolute guarantee against the threat or use of nuclear weapons, the nuclear-weapon States should seriously refrain, in any circumstances, from the use or threat of use of nuclear weapons against any non-nuclear-weapon State party to the Treaty.

8. The Movement expresses its deepest concern over the immediate, indiscriminate and massive death and destruction that would be caused by any nuclear weapon detonation and its long-term catastrophic consequences for human health, the environment and other vital economic resources, thus endangering the life of present and future generations. The Group affirms the importance of humanitarian considerations in the context of all deliberations and efforts in promoting the goal of nuclear disarmament.

9. The Group of Non-Aligned States Parties to the Treaty firmly believes that any use or threat of use of nuclear weapons would be a crime against humanity and a violation of the principles of the Charter of the United Nations and international law, in particular international humanitarian law. The Group further believes that the mere possession of nuclear weapons is inconsistent with the principles of international humanitarian law.

10. The Group of Non-Aligned States Parties to the Treaty reaffirms the validity of the advisory opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons, that "there is in neither customary nor conventional international law any specific authorization of the threat or use of nuclear weapons" and that "the threat or use of nuclear weapons would generally be contrary to the rules of international law applicable in armed conflict, and in particular the principles and rules of humanitarian law".

11. In that regard, while deploring the military and security doctrines of the nuclear-weapon States and the strategic concept for the defence and security of the members of the North Atlantic Treaty Organization, which are based on the use or threat of use of nuclear weapons and which maintain unjustifiable concepts of security based on promoting and developing military alliances and nuclear deterrence policies, the Group of Non-Aligned States Parties to the Treaty strongly calls upon the nuclear-weapon States to exclude completely the use or threat of use of nuclear weapons from their military and security doctrines.

12. The Group of Non-Aligned States Parties to the Treaty is also of the view that, pending the conclusion of negotiations on universal, legally binding, effective, unconditional, non-discriminatory and irrevocable security assurances to all non-nuclear-weapon States parties to the Treaty against the use or threat of use of nuclear weapons, all nuclear-weapon States should fully respect their existing commitments with regard to negative security assurances, which are limited, conditional and insufficient, and should extend these assurances, without any condition or discrimination, to all non-nuclear-weapon States parties to the Treaty.

13. The Group of Non-Aligned States Parties to the Treaty recalls that, in the Final Document of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the parties to the Treaty reaffirmed and recognized that the total elimination of nuclear weapons was the only absolute guarantee against the use or threat of use of nuclear weapons and the legitimate interest of non-nuclear-weapon States in receiving unequivocal and legally binding security assurances from nuclear-weapon States which could strengthen the nuclear disarmament and non-proliferation regime. The Group expresses its dissatisfaction over the lack of the required political will and efforts by the nuclear-weapon States to fully address this legitimate interest. The Group, therefore, calls on the participants in the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, in addition to keeping nuclear disarmament as their highest priority, to fully address this legitimate right as a matter of priority.

14. Moreover, the Group stresses that the urgent negotiations on the provision of the effective, unconditional, non-discriminatory, irrevocable, universal and legally binding security assurances by all the nuclear-weapon States to all non-nuclear-weapon States parties to the Treaty against the use or threat of use of nuclear weapons under all circumstances should also be pursued as a matter of priority and without further delay.

15. In keeping with the above-mentioned position and in accordance with the decision at the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the Group of Non-Aligned States Parties to the Treaty calls for the establishment of a subsidiary body on security assurances to consider legally binding, unconditional, irrevocable and non-discriminatory negative security assurances by the five nuclear-weapon States to all non-nuclear-weapon States parties to the Treaty.

16. The Group of Non-Aligned States Parties to the Treaty notes with grave concern the current extensive investment, by the nuclear-weapon States, in modernizing their nuclear forces and developing more effective and newer weapons, including low-yield, nuclear warheads, which, by increasing the role of these inhumane weapons in their military doctrines, lowers the threshold for the actual use of nuclear weapons. The Group strongly calls for an immediate end to this trend, which is in fact a new nuclear arms race.

17. The Group of Non-Aligned States Parties to the Treaty takes note of the fulfilment, by the Russian Federation and the United States, of their commitments under the New START Treaty, and calls for the renewal of the commitments agreed within the framework of that Treaty. Nonetheless, the States members of the Group of Non-Aligned States Parties to the Treaty express their grave concern over the policies expressed in the Nuclear Posture Review and national security strategy of the United States, which run counter to its legal obligations under the Non-Proliferation Treaty and its unequivocal undertakings under the Final Documents of the Review Conferences to accomplish the total elimination of its nuclear arsenals. The Group also condemns such policies, which threaten international peace and security.

Preparatory Committee for the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Verification

Working paper submitted by the Group of Non-Aligned States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

1. The Group of Non-Aligned States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons reaffirms that, under article III (1) of the Treaty, each non-nuclear-weapon State party to the Treaty undertakes to accept safeguards "for the exclusive purpose of verification of the fulfilment of its obligations assumed under this Treaty with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices".

2. In that regard, the Group of Non-Aligned States Parties to the Treaty also reaffirms the importance and calls for the strict observance of article III (3) of the Treaty, by which the required safeguards

> shall be implemented in a manner designed to comply with article IV of this Treaty, and to avoid hampering the economic or technological development of the parties or international cooperation in the field of peaceful nuclear activities, including the international exchange of nuclear material and equipment for the processing, use or production of nuclear material for peaceful purposes in accordance with the provisions of this article and the principle of safeguarding set forth in the preamble of the Treaty.

3. The Group of Non-Aligned States Parties to the Treaty fully recognizes that the International Atomic Energy Agency (IAEA), an independent intergovernmental, science- and technology-based organization, is the sole competent authority responsible for the verification of the fulfilment of safeguard obligations assumed by States parties under the Treaty, with a view to preventing the diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices, as well as the global focal point for nuclear technical cooperation.

4. The Group of Non-Aligned States Parties to the Treaty, while supporting the verification activities of IAEA, underlines the importance of strict observance of the IAEA statute and relevant comprehensive safeguards agreements in conducting verification activities.

5. In that connection, the Group of Non-Aligned States Parties to the Treaty, while stressing the importance of safeguards, underlines the essential responsibility of

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IAEA in maintaining and observing fully the principle of confidentiality regarding all information related to the implementation of safeguards in accordance with the Agency's statute and safeguards agreements. Since the Agency is the only organization that receives highly confidential and sensitive information on the nuclear facilities of member States, and given the undesirable incidences of leaks of such information, the Group emphasizes that the confidentiality of such information shall be fully respected and that the regime, for its protection, needs to be significantly strengthened. In the view of the Group, safeguards-related confidential information should not be provided in any way to any party not authorized by the Agency. The Group recalls IAEA General Conference resolution GC(60)/RES/13, paragraph 38, in which the IAEA Director General is urged to exercise the highest vigilance in ensuring the proper protection of classified safeguards information and is requested to continue to review and update the established procedure for the protection of classified safeguards information within the secretariat.

6. The Group of Non-Aligned States Parties to the Treaty stresses that all States members of IAEA shall strictly observe its statute and that nothing should be done to undermine its authority. Furthermore, the Group calls upon all States to avoid any pressure or interference in the Agency's activities, especially its verification process, that could jeopardize its efficiency and credibility.

7. The Group of Non-Aligned States Parties to the Treaty emphasizes the need to achieve worldwide application of the comprehensive safeguards system and calls upon all nuclear-weapon States and all States not party to the Treaty to place all their nuclear facilities under IAEA full-scope safeguards.

8. The Group of Non-Aligned States Parties to the Treaty calls upon the nuclear-weapon States to undertake to accept full-scope safeguards. That is to be set forth in an agreement to be concluded with IAEA in accordance with its statute, for the exclusive purpose of the verification of the fulfilment of the nuclear-weapon States' obligations assumed under the Treaty. In the view of the Group, such agreement would be concluded with the aim of:

(a) Ensuring full compliance with the obligations assumed under article I of the Treaty;

(b) Providing baseline data regarding the fulfilment of obligations on nuclear disarmament and preventing further diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices;

(c) Strictly observing the prohibition of the transfer, which is inconsistent with the provisions, object and purpose of the Treaty, of any nuclear-related equipment, information, material and facilities, resources or devices, and the extension of assistance in the nuclear, scientific or technological fields to States not party to the Treaty, without exception.

9. The Group of Non-Aligned States Parties to the Treaty, mindful of the importance of article III of the Treaty in verifying the peaceful nature of nuclear programmes, reiterates that obligations under that article provide credible assurances for States parties to engage in the transfer of nuclear equipment, material and technology for peaceful purposes. Therefore, States parties to the Treaty are called upon to refrain from imposing or maintaining any restriction or limitation on the transfer of nuclear equipment, material and technology to other States parties with comprehensive safeguards agreements.

10. The Group of Non-Aligned States Parties to the Treaty stresses the statutory role of IAEA on nuclear disarmament, including applying safeguards on nuclear materials derived from the dismantling of nuclear weapons, and recognizes the Agency's capability of verifying nuclear disarmament agreements.

11. The Group of Non-Aligned States Parties to the Treaty strongly believes that the nuclear-weapon States, in implementing their unequivocal undertaking to totally eliminate their nuclear arsenals, should undertake further efforts, in a transparent, irreversible and internationally verifiable manner, to eliminate all types of nuclear weapons, deployed and non-deployed, as well as their nuclear weapon-related materials, including through unilateral, bilateral, regional and multilateral measures. Furthermore, the Group calls upon the nuclear-weapon States to dismantle or convert for peaceful uses facilities and related equipment for the production of fissile material for use in nuclear weapons or other nuclear explosive devices.

12. In that regard, the Group supports the development of appropriate legally binding verification arrangements, within the context of IAEA, to ensure the irreversible removal of fissile material from nuclear weapons or other nuclear explosive devices. The Group further urges the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons to examine such legally binding verification arrangements and the means of making them operational, with the aim of ensuring the realization of that objective.

13. The Group of Non-Aligned States Parties to the Treaty recalls action 16 of the recommendations and follow-on actions of the 2010 Review Conference and urges the nuclear-weapon States to commit to declaring to IAEA all weapons-grade fissile material and to place such material, as soon as practicable, under the supervision of IAEA or other relevant international verification and arrangements for the disposition of such material for peaceful purposes, in order to ensure that such material remains permanently outside military programmes. The Group calls upon the 2020 Review Conference to conduct an in-depth evaluation of the fulfilment of those commitments through the establishment of an international mechanism for monitoring the implementation of the action, which should be made mandatory for the nuclear-weapon States.

14. The Group of Non-Aligned States Parties to the Treaty also calls for the 2020 Review Conference to establish a standing committee to monitor and verify the nuclear disarmament steps undertaken unilaterally or through bilateral agreements by the nuclear-weapon States.

Preparatory Committee for the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

9 April 2018

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Action to strengthen the review process for the Treaty on the Non-Proliferation of Nuclear Weapons

Working paper submitted by the members of the Non-Proliferation and Disarmament Initiative (Australia, Canada, Chile, Germany, Japan, Mexico, Netherlands, Nigeria, Philippines, Poland, Turkey and United Arab Emirates)

Background

1. Reviewing the implementation of any major treaty is important to maintain the treaty regime's relevance and vibrancy. It is especially important for the Treaty on the Non-Proliferation of Nuclear Weapons, the cornerstone treaty on nuclear non-proliferation and disarmament. This is recognized in article VIII, paragraph 3, of the Treaty. Over several decades, the review process has contributed to major achievements across all three pillars of the Treaty.

2. Strengthening the review process for the Treaty was given significant weight in the 1995 package on the indefinite extension of the Treaty (as decision 1 of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons). Further changes were agreed in 2000 and 2010. Nevertheless, the process could be improved to increase its efficiency and effectiveness. For example, the Preparatory Committee sessions have had difficulty in fully implementing the mandate agreed in 1995 for them to "consider principles, objectives and ways" to promote the full implementation of the Treaty and its universality and to "make recommendations thereon to the Review Conference", as well as to make the procedural preparations for the next Review Conference (NPT/CONF.1995/32 (Part I), annex, decision 1, para. 4).[1]

Further action on strengthening the review process for the Non-Proliferation Treaty

3. The Non-Proliferation and Disarmament Initiative proposes that States parties to the Treaty review and assess the review process for the Treaty to identify areas where the process could work better and discuss possible improvements.

[1] Decision 1 on strengthening the review process for the Treaty, as proposed by the President and presented to the 1995 Review and Extension Conference, was adopted without a vote.

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4. The Non-Proliferation and Disarmament Initiative considers that the review cycle could benefit from the consideration of efficiency-oriented ideas for enhancing the review process for the Treaty to enable more substantive outcomes and improve effectiveness, efficiency, accountability and transparency so as to strengthen the future implementation of the Treaty. Such a working group could be established by States parties to the Treaty at the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons or sooner.

5. The Non-Proliferation and Disarmament Initiative is interested in exchanging points of view and suggestions from all States parties on the best way to take this matter forward.

6. As affirmed in the Final Document of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, "improving the effectiveness of the strengthened review process is an ongoing responsibility of States parties".

7. This collective responsibility will always be with us. As we approach the historic fiftieth anniversary of the entry into force of the Treaty in 2020, it is especially timely to consider a dedicated process for further enhancing the review process, thus maximizing the prospects for successful future substantive review outcomes and strengthening the implementation of the Treaty.

8. The more we improve the review process, the more we can improve the efficiency of our working methods and also foster and take advantage of political will, which is the most important ingredient in successful review cycle outcomes.

9. Although the review process for the Treaty has generally served us well, there are aspects that could be improved. For example, there may be scope to consider ways to improve the following:

- How effectively the process enables the substantive review of the implementation of the Treaty
- Our collective responsiveness in practice to emerging developments
- Transparency and accountability
- "Institutional memory" (e.g., through enhanced secretariat arrangements), which would assist participation by States parties
- How efficiently we use our time and resources

10. The potential benefits of any improvements in those areas include the following:

- Facilitating the review of the implementation of the Treaty
- Better equipping States parties to the Treaty to respond in a timely manner to emerging trends or crises
- Enhancing the opportunity for States parties to participate fully in the review cycle
- Helping to ensure that resources are applied to their most productive use

11. There is a long history of proposals for enhancing the review process for the Treaty that more often than not failed to attract consensus. Some past proposals may warrant revisiting.

12. A working group, for example, could provide a dedicated forum for advancing and debating ideas, so that States parties can reach informed conclusions and, perhaps, compromises on which changes would best enhance the review process for

the Treaty. As noted above, the Non-Proliferation and Disarmament Initiative is open to suggestions for mechanisms directed to that end.

13. The Non-Proliferation and Disarmament Initiative asks that all States parties give renewed attention to this important topic.

Conclusion

14. The Non-Proliferation and Disarmament Initiative does not underestimate the difficulty of reaching agreement on enhancements to further strengthen the review process. Even modest improvements are worth working towards in view of the vital importance of the Treaty.

15. Even if the proposed renewed effort to improve the review process were to produce no major changes to the process, it might give rise to some useful and modest suggestions of a kind that are not contentious and could be implemented without any need for formal decision-making.

16. We therefore encourage all States parties to the Treaty to agree to make fresh efforts to review the review process itself.

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The inalienable right to develop research, production and uses of nuclear energy for peaceful purposes

Working paper submitted by the Islamic Republic of Iran

1. To use science and technology for peaceful purposes, in particular nuclear science and technology, is an inalienable right of any State, inherent to its sovereignty. Given the continuous increase in the significance of nuclear energy as a clean, viable and environment- and climate-friendly source in the energy mix of countries, its broad and ever-growing applications and its prominent place in the sustainable socioeconomic development of societies, ensuring the full realization of this inherent right, in particular for developing States, is of utmost importance.

2. The right to develop nuclear energy for peaceful purposes constitutes one of the fundamental objectives of the Treaty on the Non-Proliferation of Nuclear Weapons. The Treaty, in its article IV, provides that nothing shall affect "the inalienable right of all the parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination". It also provides for an undertaking by all the parties to the Treaty to facilitate the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy and the right of all parties to the Treaty to participate in such exchange.

3. The realization of the right of developing States parties to participate in the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy should be ensured. To that end, among other things, all States parties, in particular those possessing advanced nuclear technology, equipment and scientific information, should fully comply with their article IV legal obligations to facilitate participation of the developing States parties in the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy.

4. As stipulated in the Treaty, none of its provisions shall be interpreted as affecting the inalienable rights of States parties under article IV. Measures taken by States parties to prevent the proliferation of nuclear weapons should not restrict or hamper the exercise of the inherent rights of developing States parties to the Treaty to develop nuclear energy for peaceful uses. It is a matter of deep concern that certain States parties to the Treaty continue to impose arbitrary restrictions, based on political reasons, on the transfer of nuclear materials, equipment and technology for peaceful

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purposes. Such restrictions are in clear violation of the obligations under article IV of the Treaty and undermine its integrity and credibility, and they must therefore be terminated. The 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons should examine this issue and take specific decisions to ensure the full and non-discriminatory implementation of article IV of the Treaty.

5. The application of unilaterally enforced export control regimes, in contravention of the letter and spirit of the Treaty, has hampered access by developing countries to nuclear materials, equipment and technology for peaceful purposes. Consistent with action 51 of the conclusions and recommendations for follow-on actions of the 2010 Review Conference, restrictions on transfer of nuclear materials, equipment and technology for the peaceful uses of nuclear energy should be swiftly removed. The 2020 Review Conference should consider the status of implementation of that recommendation by States parties participating in the export control regimes and, if necessary, require them to report on their actions in this regard to the next Non-Proliferation Treaty review process.

6. Measures need to be taken to ensure that the inalienable rights of all States parties to develop research, production and use of nuclear energy for peaceful purposes without discrimination are fully protected. In this context, the 2020 Review Conference should reiterate the full respect for the inalienable rights of all States parties, particularly developing countries, under article IV, including the right to have full access to nuclear materials, technology, equipment and scientific and technological information for peaceful purposes. The Conference should stress that no State party should be limited in exercising its rights under the Treaty on the basis of allegations of non-compliance.

7. The inalienable rights of the States parties include all areas of nuclear activities and technology for peaceful purposes, including enrichment and reprocessing activities and technology. In this regard, it was reiterated in the Final Documents of the 1995, 2000 and 2010 Review Conferences that each country's choices and decisions in the field of the peaceful uses of nuclear energy should be respected without jeopardizing its policies or international cooperation agreements and arrangements for the peaceful uses of nuclear energy and its fuel-cycle policies. For its part, the Islamic Republic of Iran is determined to pursue all areas of nuclear technology, including the development of a full national nuclear fuel cycle for peaceful purposes.

8. As also reaffirmed by the Non-Aligned Movement, the right of States to define their national energy and nuclear fuel-cycle policies "includes an inalienable right to develop, for peaceful purposes, a full national nuclear fuel cycle" (NPT/CONF.2015/PC.I/WP.5, para. 9). Therefore, any proposal to limit or restrict this inalienable right of States parties would clearly be in contradiction to article IV of the Treaty. The 2020 Review Conference is expected to address this issue and decide that any explicit or implicit proposal, decision or act, by any State or organization, that is intended to hamper directly or indirectly, the nuclear policies of States parties to develop a full national nuclear fuel cycle for peaceful purposes is in clear violation of article IV and shall therefore be avoided.

9. The International Atomic Energy Agency (IAEA), as the principal agent for nuclear technology transfer among the international organizations referred to in article IV (2) of the Treaty, has an important role in contributing to international cooperation for the further development of the applications of nuclear energy for peaceful purposes. The IAEA statute recognizes the Agency's mandate in encouraging and assisting "research on, and development and practical application of, atomic energy

for peaceful uses throughout the world" and fostering "the exchange of scientific and technical information on peaceful uses of atomic energy" (article III (A)).

10. The effective and successful operation of the Agency's technical assistance and co-operation programme is critical to performing its task in promoting nuclear energy for peaceful purposes. However, insufficient resources for that programme and restrictions imposed by some States on the Agency have undermined the ability of IAEA to meet effectively its responsibilities in this regard. Since the establishment of IAEA, developing countries have continually expressed serious concerns about the policy of funding technical cooperation on the basis of voluntary contributions, as they are unpredictable, unsecured and subject to the political motivations of the donors. Safeguards activities are, however, funded from the regular budget. Such a discriminatory policy with respect to two pillars of the IAEA statute and the Treaty must be abandoned.

11. To redress this situation, in actions 53 and 54 of the conclusions and recommendations for follow-on actions of the 2010 Review Conference, the States parties were called upon to strengthen the IAEA technical cooperation programme in assisting developing States parties and by taking practical steps to ensure that IAEA resources in this area are sufficient, assured and predictable (see NPT/CONF.2010/50 (Vol. I)).

12. As stipulated in the Treaty, the safeguards required under article III shall be implemented in a manner designed to comply with article IV of the Treaty and to avoid hampering the economic or technological development of the parties or international cooperation in the field of peaceful nuclear activities, including the international exchange of nuclear materials and equipment for the processing, use or production of nuclear materials for peaceful purposes.

13. This notion was duly noted in the Review Conferences of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, particularly in the Final Document of the 2000 Review Conference (NPT/CONF.2000/28 (Parts I and II)), when considering that the strengthening of the IAEA safeguards should not adversely affect the resources available for technical assistance and cooperation. It was further maintained that, in allocating resources, the Agency's statutory functions, including that of encouraging and assisting the development and practical application of atomic energy for peaceful uses with adequate technology transfer, should be taken into account.

Preparatory Committee for the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

11 April 2018

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Geneva, 23 April–4 May 2018

Proposals by the Non-Proliferation and Disarmament Initiative to enhance transparency for strengthening the review process for the Treaty on the Non-Proliferation of Nuclear Weapons

Working paper submitted by the members of the Non-Proliferation and Disarmament Initiative (Australia, Canada, Chile, Germany, Japan, Mexico, Netherlands, Nigeria, Philippines, Poland, Turkey and United Arab Emirates)

Significance of transparency

1. The principle of transparency, like those of irreversibility and verifiability, is indispensable in the process of nuclear disarmament. Indeed, the principle of transparency underpins the other two principles. Without clarity on existing arsenals, negotiations and verification of nuclear weapon reductions become very problematic. It would also complicate the task of providing confidence to States that nuclear disarmament measures have been accomplished in an irreversible manner.

2. Increased transparency builds confidence and trust at regional and international levels. It helps to establish a common ground for dialogue and negotiation. Therefore, increased transparency allows further reductions in nuclear weapons towards their total elimination.

3. The principle of transparency, together with the principles of irreversibility and verifiability, strengthens the implementation of the Treaty on the Non-Proliferation of Nuclear Weapons, as established by the States parties to the Treaty in 2000 and 2010.[1] States parties to the Treaty agreed in 2000 that increased transparency by the nuclear-weapon States is a part of the 13 steps on disarmament agreed in the same year. In 2010, they committed to the principle of transparency in relation to the implementation of their Non-Proliferation Treaty obligations.

[1] See also the working paper on increased transparency in nuclear disarmament (NPT/CONF.2015/PC.III/WP.10) of 19 March 2014, submitted by the Non-Proliferation and Disarmament Initiative to the third Preparatory Committee of the 2015 Non-Proliferation Treaty Review; and the recommendations for consideration by the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.2015/WP.16) of 20 March 2015, submitted by the Non-Proliferation and Disarmament Initiative to the 2015 Review Conference.

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Transparency in the context of strengthening the Non-Proliferation Treaty review process

4. Transparency is important not only in nuclear disarmament but also in reviewing implementation of the Non-Proliferation Treaty.[2] The Non-Proliferation Treaty review process has made certain progress in according additional responsibilities to the five recognized nuclear-weapon States to increase their reporting and transparency commitments, as evidenced by the action plan contained in the Final Document of the 2010 Review Conference. However, whereas reports to the Board of Governors of the International Atomic Energy Agency (IAEA), based on the IAEA safeguards system, play an important role in providing transparency in the implementation of Non-Proliferation Treaty non-proliferation obligations by non-nuclear-weapon States, there exists no specific transparency or accountability mechanism for nuclear disarmament obligations of nuclear-weapon States.

5. It is difficult to measure progress on the implementation of the Non-Proliferation Treaty and of commitments made under it. Adopting a standard reporting form can establish a baseline to measure progress, thus helping to create a common frame of reference about the past actions and implementation efforts of all States parties to the Treaty. This helps the Non-Proliferation Treaty review process in at least two ways: (a) enhancing confidence not only among nuclear-weapon States but also between nuclear- and non-nuclear weapon States; and (b) forming the basis for a more objective, fact-based approach to the review exercise.

6. The Non-Proliferation Treaty review process plays a key role as an accountability mechanism for nuclear-weapon States. It is therefore critical that transparency and reporting are firmly embedded into the strengthening of the Treaty review process.

7. The Non-Proliferation and Disarmament Initiative considers that adequate reporting is an effective instrument both for providing greater transparency and for greater accountability as a part of the strengthened Non-Proliferation Treaty review process. Based on the Treaty review outcome documents of 2000 and 2010, reporting is considered an important part of the implementation of Non-Proliferation Treaty obligations relating to transparency and disarmament.

Enhancing reporting of implementation of the Non-Proliferation Treaty

8. One effective way to improve transparency is reporting by all States parties on their implementation of the Non-Proliferation Treaty and of the 2010 Non-Proliferation Treaty action plan. In this regard, the three draft standard reporting forms previously submitted by the Non-Proliferation and Disarmament Initiative are helpful:

(a) For nuclear-weapon States, template contained in the annex to document NPT/CONF.2015/PC.I/WP.12 (proposed in 2012): designed for use by nuclear-weapon States in fulfilling their commitments under actions 5 and 21 of the 2010 Non-Proliferation Treaty Action Plan;[3]

[2] NPT/CONF.2015/PC.III/WP.10 (see footnote 1).

[3] Working paper on the transparency of nuclear weapons: the Non-Proliferation and Disarmament Initiative (NPT/CONF.2015/PC.I/WP.12) of 20 April 2012, submitted by the Non-Proliferation and Disarmament Initiative to the first Preparatory Committee of the 2015 Review Conference.

(b) For non-nuclear-weapon States, template contained in the annex to document NPT/CONF.2015/WP.17 (proposed in 2015): designed for use by non-nuclear-weapon States in fulfilling their commitments under action 20 of the 2010 Non-Proliferation Treaty action plan and used by a number of members of the Non-Proliferation and Disarmament Initiative to report on their implementation of action plan undertakings;[4]

(c) For both nuclear- and non-nuclear-weapon States, template contained in the annex to document NPT/CONF.2020/PC.I/WP.17 (proposed in 2017): designed for use by all States parties to report on their implementation of Non-Proliferation Treaty commitments, particularly under the 2010 Non-Proliferation Treaty action plan. That template, which integrates and supersedes the reporting templates proposed by the Non-Proliferation and Disarmament Initiative, suggested previously and referred to at (a) and (b) above, is replicated in the annex to the present paper.[5]

9. The adoption of a standard reporting form is an important first step to systematize reporting and develop a common frame of reference. The reports submitted by the nuclear-weapon States in 2014 and 2015 indicate that they are based on a "common framework". However, they do not refer to a "standard reporting form" that should have been agreed to by nuclear-weapon States in accordance with action 21 of the 2010 action plan. A standard reporting form is necessary to ensure the same level of transparency across the reports of different nuclear-weapon States.

Proposals by the Non-Proliferation and Disarmament Initiative to enhance transparency by improving reporting

10. The Non-Proliferation and Disarmament Initiative makes the following proposals for implementation during the 2020 Non-Proliferation Treaty review process:

(a) All States parties should, during the 2020 review cycle, continue to report regularly on their undertakings under the 2010 action plan, using the standard reporting form proposed in 2017 by the Non-Proliferation and Disarmament Initiative for both nuclear- and non-nuclear-weapon States, which is replicated in the annex to the present paper;

(b) All nuclear-weapon States are strongly encouraged to:

(i) Agree upon a "standard reporting form" as soon as possible in accordance with action 21 of the 2010 action plan, taking into account the standard reporting form replicated in the annex to the present paper and building on the "common framework" under which nuclear-weapon States made their national reports during the 2015 Non-Proliferation Treaty review cycle;

(ii) Report to the 2019 Non-Proliferation Treaty Preparatory Committee on their 2010 action plan undertakings along the lines of action 5 of the 2010 action plan, mutatis mutandis (action 5 provided for reporting to the 2014 Non-Proliferation Treaty Preparatory Committee);

[4] Joint working paper on transparency by non-nuclear-weapon States parties (NPT/CONF.2015/WP.17) of 20 March 2015, submitted by the Non-Proliferation and Disarmament Initiative to the 2015 Review Conference.

[5] Joint working paper on transparency by all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.2020/PC.I/WP.17) of 19 April 2017, submitted by the Non-Proliferation and Disarmament Initiative to the first Preparatory Committee of the 2020 Non-Proliferation Treaty Review Conference.

(c) The Chair of the 2019 Preparatory Committee could usefully explore allocating time for States parties to:

(i) Review the proportion of States parties issuing regular reporting;

(ii) Encourage States to identify and remove any barriers to optimal reporting;

(iii) Consider asking the Office for Disarmament Affairs to collate data and report on national reporting practice;

(d) The 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons should take stock and consider next steps for improving the Non-Proliferation Treaty review process (see para. 11 below).

11. In order to enhance transparency further, the Non-Proliferation and Disarmament Initiative makes the following proposals for consideration by the 2020 Review Conference.

(a) The reporting mechanism should be further entrenched and improved within the framework of the strengthening of the Non-Proliferation Treaty review process;

(b) At the 2020 Review Conference, the States parties should agree on the reporting form(s) to be used by States parties in reporting. In this regard, reporting forms previously suggested by the Non-Proliferation and Disarmament Initiative could be useful reference points (see para. 8 above and the annex to the present paper);

(c) The States parties should agree to make future regular reports at specified frequencies. The Non-Proliferation and Disarmament Initiative suggests that an appropriate reporting schedule would be for all States parties to submit their reports in time for the following meetings: the second Preparatory Committee session of each cycle and every review conference;

(d) (In case of lack of agreement among nuclear-weapon States by 2020) Nuclear-weapon States should implement action 21 of the 2010 Non-Proliferation Treaty action plan by reaching agreement on a standard reporting form. Reporting intervals for nuclear-weapon States should be no longer, and preferably shorter, than those for non-nuclear-weapon States;

(e) Preparatory Committee sessions should allocate time to discuss the practice of reporting by all States parties and challenges faced by States parties in reporting. At least one Preparatory Committee session per review cycle should allocate specific time to discuss the reporting practice of nuclear-weapon States. Preparatory Committee session chairs should forward a summary of outcomes of all discussion of reporting practice and related challenges to the presiding officer of the next Preparatory Committee or review conference;

(f) The 2025 Review Conference should be clearly mandated to:

(i) Review progress made up until 2025 in implementing the reporting mechanism;

(ii) Decide on next steps in the elaboration and further improvement of the reporting mechanism.

Annex

Report by [country] on the implementation of the action plan agreed at the 2010 Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons

Action 20 of the action plan contained in the Final Document of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons calls on States parties to submit regular reports on their implementation of the plan, as well as of the 13 practical steps towards disarmament contained in the Final Document of the 2000 Review Conference, and of article VI, paragraph 4 (c), of the 1995 Review and Extension Conference decision entitled "Principles and objectives for nuclear non-proliferation and disarmament". Action 21 of the action plan states that, as a confidence-building measure, all nuclear-weapon States are encouraged to agree as soon as possible on a standard reporting form and to determine appropriate reporting intervals for the purpose of voluntarily providing standard information without prejudice to national security. [country] submits this report in accordance with these commitments.

Action number	*Examples of information to include (if applicable)*
Nuclear disarmament	
1	Summary of national policy on nuclear disarmament, including any relevant initiatives and actions which serve to illustrate the policy.
	Membership in regional/multilateral groups that promote nuclear disarmament.
2	National policy on irreversibility, verifiability and transparency, including any relevant initiatives and actions which serve to illustrate the policy.
	Support for relevant General Assembly resolutions that support irreversibility, verifiability and transparency.
3	(Applicable only to nuclear-weapon States)
	Summary of unilateral, bilateral, regional and multilateral measures to reduce national stockpiles of nuclear weapons.
4	(Applicable only to nuclear-weapon States)
	Current information on aggregate numbers of deployed nuclear warheads and delivery vehicles in accordance with the most recent reporting through the new Strategic Arms Reduction Treaty (New START).
	Summary of recent inspections of facilities through New START.
	Summary of any meetings of the Bilateral Consultative Commission established by New START.
	Summary of bilateral meetings to discuss future nuclear reduction agreements.
5 (a)	(Applicable only to nuclear-weapon States)
	Information on the overall reductions in the national stockpile of all types of nuclear weapons during the five review cycles since the Non-Proliferation Treaty was indefinitely extended: 1995–2000, 2000–2005, 2005–2010, 2010–2015 and 2015–present.

Action number	*Examples of information to include (if applicable)*
5 (b)	(Applicable only to nuclear-weapon States) Information on the current stockpile of all types of nuclear warheads and their delivery vehicles, including deployed and non-deployed, strategic and non-strategic, and those awaiting dismantlement, as well as their locations. Information should be provided in the following categories for both nuclear warheads and their delivery vehicles: (i) total number, including those awaiting dismantlement; and (ii) number in stockpile (deployed strategic and non-strategic, non-deployed strategic and non-strategic), excluding those awaiting dismantlement. In addition, for delivery vehicles of nuclear warheads: number of delivery vehicles by type (missiles, aircraft, submarines, artillery, others) for item (ii) above. Information on current stockpiles of fissile material for nuclear weapons. Information should be provided in the following categories: (i) aggregate amount of plutonium produced for national security purposes/nuclear weapons purposes (in metric tons); (ii) aggregate amount of highly enriched uranium produced for national security purposes/nuclear weapons purposes (in metric tons); and (iii) amount of fissile material declared excess for national security purposes/nuclear weapons (in metric tons). *Note*: Nuclear weapons purposes are a subcategory of national security purposes, which includes military purposes other than nuclear weapons, such as for naval fuel.
5 (c)	(Applicable only to nuclear-weapon States) Measures taken, or in the process of being taken, to diminish the role and significance of nuclear weapons in military and security concepts, doctrines and policies. Information on the scope and focus of policy reviews, either scheduled, under way or completed, relating to nuclear weapon stockpiles, nuclear doctrine or nuclear posture.
5 (d)	(Applicable only to nuclear-weapon States) Summary of discussions on policies that could prevent the use of nuclear weapons and eventually lead to their elimination, lessen the danger of nuclear war and contribute to the non-proliferation and disarmament of nuclear weapons.
5 (e)	(Applicable only to nuclear-weapon States) Measures taken, or in the process of being taken, to reduce the operational readiness of the reporting State's nuclear arsenal. Summary of efforts to engage non-nuclear-weapon States parties to the Treaty on reducing the operational status of nuclear weapons.
5 (f)	(Applicable only to nuclear-weapon States) Measures taken, or in the process of being taken, to reduce the risk of accidental use of nuclear weapons.

Action number	*Examples of information to include (if applicable)*
5 (g)	(Applicable only to nuclear-weapon States)
	Summary of any unilateral, bilateral, regional or multilateral confidence- and security-building measures to enhance transparency and increase mutual confidence, as well as those measures put in place with regard to nuclear weapons.
6	Support for the establishment of a subsidiary body in the Conference on Disarmament to deal with nuclear disarmament, including through support for relevant draft programmes of work of the Conference, Non-Proliferation Treaty working papers and/or General Assembly resolutions.
	Participation in any working groups on nuclear disarmament.
7	Support for the establishment of a subsidiary body in the Conference on Disarmament to discuss effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, including through support for relevant draft programmes of work of the Conference, Non-Proliferation Treaty working papers and/or General Assembly resolutions.
8	(Applicable only to nuclear-weapon States)
	Description of unilateral, bilateral, regional and multilateral security assurances provided to non-nuclear-weapon States parties to the Treaty against the use or threat of use of nuclear weapons.
9	(For all States)
	National efforts to support the establishment of nuclear-weapon-free zone treaties.
	Support for relevant General Assembly resolutions and/or Non-Proliferation Treaty working papers that support the establishment of nuclear-weapon-free zones.
	Name of nuclear-weapon-free zone treaty to which your country is party.
	(For nuclear-weapon States)
	Summary of efforts (including current status and future prospects) to ratify the relevant protocols of nuclear-weapon-free zone treaties or to review any related reservations on the ratification of such protocols.
	Current status of consultations and cooperation on entry into force of the relevant protocols of nuclear-weapon-free zones.
10	(Applicable only to nuclear-weapon States)
	Current status of signature and ratification (including dates of signature and ratification) of the Comprehensive Nuclear-Test-Ban Treaty and summary of efforts to complete the ratification of that Treaty (if applicable).
	Summary of efforts to encourage Annex 2 States to sign and ratify the Comprehensive Nuclear-Test-Ban Treaty.
11	Date of signature and ratification of the Comprehensive Nuclear-Test-Ban Treaty.
	Current status of the reporting State's policy on the moratorium on nuclear weapon test explosions.

Action number	*Examples of information to include (if applicable)*
12	Confirmation that commitment was met to report at the Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty (Article XIV Conference) held in 2011 on progress made towards the urgent entry into force of that Treaty. Summary of reports made at the subsequent Article XIV Conferences on progress made towards the entry into force of that Treaty.
13	Activities to promote the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty at the national, regional and global levels, in particular a summary of efforts to encourage all States that have yet to do so to sign and ratify the Treaty (e.g., positions on General Assembly resolutions; participation in Article XIV Conferences or Comprehensive Nuclear-Test-Ban Treaty ministerial meetings; participation in Non-Proliferation Treaty working papers and/or national, regional, multilateral activities). Summary of national efforts to fully implement the Comprehensive Nuclear-Test-Ban Treaty (e.g., national legislation or policies). List any nationals who participate in the Comprehensive Nuclear-Test-Ban Treaty Group of Eminent Persons.
14	Summary of national efforts to construct, complete and/or certify International Monitoring System stations. Summary of national efforts to help the Comprehensive Nuclear-Test-Ban Treaty Organization strengthen its verification regime (e.g., workshops, seminars, training, exercises, voluntary funding contributions and/or in-kind contributions). Summary of national efforts to help develop the Comprehensive Nuclear-Test-Ban Treaty Organization's on-site inspection capabilities.
15	Support for launching negotiations on a treaty to ban the production of fissile materials for nuclear weapons or other nuclear explosive devices, including through support for relevant draft programmes of work of the Conference on Disarmament, General Assembly resolutions and/or Non-Proliferation Treaty working papers. Summary of contributions to the Group of Governmental Experts on the subject. Summary of contributions to the High-level Fissile Material Cut-Off Treaty Expert Preparatory Group.
16	(Applicable only to nuclear-weapon States) Information on any current status and future plans, such as amount and time frame to: (i) declare to the International Atomic Energy Agency (IAEA) any fissile material designated as no longer required for military purposes; (ii) place such material under IAEA or other relevant international verification; and/or (iii) arrange for the disposition of such material.
17	(Applicable only to nuclear-weapon States) Information on the status of the development of appropriate legally binding verification arrangements to ensure the irreversible removal of excess fissile material.

Action number	*Examples (if information to include (if applicable))*
	Proposals and/or statements made in support of the development of appropriate legally binding verification arrangements to ensure the irreversible removal of excess fissile material from military stockpiles by nuclear-weapon States.
18	(Applicable only to nuclear-weapon States) Information on any current or future plans to dismantle, or convert to peaceful uses, facilities that produce fissile material for nuclear weapons purposes. Confirmation that domestic nuclear facilities do not produce fissile material for use in nuclear weapons or other nuclear explosive devices.
19	Any cooperation among governments, the United Nations and civil society aimed at increasing confidence, improving transparency and developing efficient verification capabilities related to nuclear disarmament. Summary of national, regional and international efforts to promote greater transparency, confidence and efficiency in the verification of nuclear disarmament.
20	Year and official document symbol of all regular reports on the implementation of article VI, paragraph 4 (c), of the 1995 decision entitled "Principles and objectives for nuclear non-proliferation and disarmament" and the practical steps agreed to in the Final Document of the 2000 Review Conference.
21	(For nuclear-weapon States) Any agreed standard reporting form and determined reporting intervals. Summary of efforts to agree on a standard reporting form and to determine appropriate reporting intervals for the purpose of voluntarily providing standard information without prejudice to national security. (For non-nuclear-weapon States) Summary of efforts to encourage the nuclear-weapon States to agree on a standard reporting form and to determine an appropriate reporting interval.
22	Summary of efforts to promote nuclear disarmament and non-proliferation education (e.g., contributions to the report of the Secretary-General, adding the subject to school curriculums, seminars, conferences, exhibitions, partnerships with civil society, public events, social media events, contests).
Nuclear non-proliferation	
23	Summary of efforts to promote universal adherence to the Non-Proliferation Treaty.
24	Summary of safeguards agreements concluded with IAEA, such as a comprehensive safeguards agreement, Additional Protocol and/or Modified Small Quantities Protocol.
25	Summary of efforts to conclude a comprehensive safeguards agreement, or to facilitate and encourage others to do so.
26	Summary of national efforts to comply with non-proliferation obligations. Examples of initiatives, including through Non-Proliferation Treaty working papers, that promote high international standards of compliance.

Action number	*Examples of information to include (if applicable)*
	Summary of IAEA conclusions about the non-diversion of declared nuclear material from peaceful nuclear activities and the absence of undeclared nuclear material and activities.
27	Summary of national steps taken to address cases of non-compliance with Non-Proliferation Treaty non-proliferation obligations, including the implementation of sanctions regimes imposed by the Security Council or statements in relevant international forums, such as the IAEA General Conference or Board of Governors.
28	Date of signature and entry into force of an Additional Protocol agreement with IAEA.
	Summary of efforts to implement the Additional Protocol or to encourage and facilitate others to do so.
29	Summary of national, regional and/or multilateral efforts to promote or assist other States in concluding or implementing a comprehensive safeguards agreement
30	Summary of support for efforts to apply safeguards more widely in nuclear-weapon States (e.g., Non-Proliferation Treaty working papers)
31	Efforts to amend or rescind an existing Small Quantities Protocol.
32	Summary of efforts to review and evaluate IAEA safeguards, including efforts to support decisions to increase the effectiveness and efficiency of IAEA safeguards.
33	Summary of status of payment of assessed contributions to IAEA.
	Summary of extrabudgetary, voluntary and/or in-kind contributions to IAEA.
34	Summary of contributions to the development of an international technology base to help improve IAEA safeguards.
35	Summary of efforts in export control regimes (e.g., the Nuclear Suppliers Group, the Zangger Committee, the Wassenaar Arrangement), Security Council resolution 1540 (2004) and its reporting mechanism and other arrangements (e.g., domestic legislation or bilateral agreements) that help to ensure nuclear-related exports do not lead to proliferation.
36	Summary of the implementation of nuclear export control lists in domestic export control legislation and/or regulations.
37	Summary of efforts to show that the safeguards and compliance record of a recipient State is taken into account in making nuclear export decisions.
38	Support for the legitimate right of States to peaceful uses of nuclear energy, such as by providing a list of States with which nuclear cooperation agreements have been completed.
39	Summary of key policy criteria considered when determining whether or not to engage in nuclear cooperation with a State.
40	Summary of efforts to strengthen the physical protection of nuclear facilities, particularly by the national regulatory agency
	Summary of efforts undertaken to implement commitments made in the Nuclear Security Summit process.

Action number	*Examples of information to include (if applicable)*
41	Summary of efforts to apply the IAEA INFCIRC/225/Rev.4 (Corrected). Timeline for any planned national reviews of physical protection policies and practices or any reviews that have been accomplished.
42	Summary of progress in signing, ratifying and implementing the Convention on the Physical Protection of Nuclear Material and its 2005 Amendment. Summary of efforts to promote the ratification and implementation of the Convention and its 2005 Amendment
43	Summary of steps taken to implement the principles of the revised IAEA Code of Conduct on the Safety and Security of Radioactive Sources. Summary of steps taken to implement the Guidance on the Import and Export of Radioactive Sources.
44	Summary of efforts to strengthen national capabilities against the illicit trafficking of nuclear material. Summary of efforts to provide assistance to other States to strengthen national capabilities against the illicit trafficking of nuclear material (e.g., commitments made in the context of the Nuclear Security Summit process, the Global Partnership against the Spread of Weapons and Materials of Mass Destruction). Information about participation in the Proliferation Security Initiative. Information about participation in the Global Initiative to Combat Nuclear Terrorism. Summary of any reports provided in accordance with Security Council resolution 1540 (2004). Status of participation in the IAEA Illicit Trafficking Database. Status of participation in the nuclear security activities of the International Criminal Police Organization (INTERPOL).
45	Summary of progress in signing, ratifying and implementing the International Convention on the Suppression of Acts of Nuclear Terrorism.
46	Summary of activities to strengthen national regulatory controls of nuclear material, including establishing and maintaining a State System of Accounting for and Control of Nuclear Material, as well as any regional-level systems. Summary of cooperation with IAEA on accounting and control of nuclear materials. Summary of support for IAEA programmes relevant to these actions, including the nuclear security relevant work of the IAEA nuclear safety and security programme.
Peaceful uses of nuclear energy	
47	Summary of the types of peaceful uses of nuclear energy being pursued nationally (e.g., power generation, mining, medical, agricultural).
48	Summary of national policy on nuclear cooperation, including legislation on export controls.

Action number	*Examples of information to include (if applicable)*
49	Summary of national, bilateral, regional and/or multilateral efforts to further the development and application of nuclear technologies to areas that will help to meet the needs of developing countries.
50	Summary of international efforts to assist developing countries, identifying those activities which are undertaken through the IAEA Technical Cooperation Programme.
51	List of the total number of countries with which nuclear cooperation agreements are in effect (see actions 37 and 38). List of the total number of nuclear cooperation agreements awaiting implementation.
52	Summary of efforts to enhance the effectiveness and efficiency of the IAEA Technical Cooperation Programme, such as by advocating for accountability and transparency in the operation of the Programme, supporting the implementation of recommendations made by the Agency's Office of Internal Oversight Services, etc.
53	Summary of efforts in the IAEA Board of Governor's Technical Assistance and Cooperation Committee. Summary of efforts to strengthen the IAEA Technical Cooperation Programme, including through any voluntary financial or in-kind contributions.
54	Rate of attainment on assessed voluntary contributions to the Technical Cooperation Fund.
55	Summary of any voluntary contributions to the IAEA Peaceful Uses Initiative or other extrabudgetary contributions to IAEA.
56	Summary of national, bilateral and international efforts with regard to capacity-building and human resource development on peaceful uses of nuclear energy.
57	Title and date of key national legislation on peaceful uses of nuclear energy.
58	Summary of efforts to develop multilateral approaches to the nuclear fuel cycle.
59	Status vis-à-vis the Convention on Nuclear Safety, the Convention on Early Notification of a Nuclear Accident, the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency and the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management. Status vis-à-vis the International Convention on the Suppression of Acts of Nuclear Terrorism and the Convention on the Physical Protection of Nuclear Material and its 2005 Amendment could be reiterated (see actions 42 and 45).
60	Summarize how international best practices on nuclear safety and security have been implemented nationally. Summarize any contributions to the IAEA Safety Standards Series, the IAEA Nuclear Security Series and review meetings of the Convention on Nuclear Safety and the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management. Summarize any participation in or contributions to workshops to share best practices, including with the nuclear industry, private sector and non-governmental organizations such as the World Institute for Nuclear Security.

Action number	*Examples of information to include (if applicable)*
61	Summarize any national efforts to reduce the use of highly enriched uranium in civilian nuclear programmes and/or convert nuclear facilities to low-enriched uranium. Summarize any international assistance provided to other States to reduce the use of highly enriched uranium in civilian nuclear programmes.
62	Summarize national regulations on the transport of radioactive materials, noting in particular the implementation of the IAEA updated standards on transport regulations (No. SSR-6, 2012).
63	List the date of signature and ratification of the Convention on Supplementary Compensation for Nuclear Damage, the Vienna Convention on Civil Liability for Nuclear Damage and/or the Paris Convention on Third-Party Liability in the Field of Nuclear Energy. List the title and date of adoption of any national legislation on nuclear liability.
64	Summarize national position and efforts taken to prohibit [and prevent] armed attacks on or threats against nuclear facilities devoted to peaceful purposes during their operation or while under construction.

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Preparatory Committee for the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Nuclear disarmament

Working paper submitted by the Islamic Republic of Iran

1. Nuclear weapons are unique in their destructive power. They cause unspeakable human suffering. The effects of any use of nuclear weapons are uncontrollable and indiscriminate. The existing arsenals of nuclear weapons alone are more than sufficient to destroy all life on earth. Some 15,000 such weapons remain, with thousands of them on high-alert status or subject to "first use" nuclear doctrines. A nuclear conflict could bring an end to our civilization. Thus, the nuclear weapons of nuclear-weapon States parties constitute the greatest global threat to international peace and security and to the survival of humankind. The extreme threat of the continued existence of nuclear weapons should be explicitly recognized in the Final Document of the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. The 2010 Review Conference expressed its deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons.

2. To remove the threat of annihilation of humankind arising from the existence of nuclear weapons, the international community has long recognized that there is no other alternative than proceeding to nuclear disarmament and the total elimination of nuclear weapons as the only absolute guarantee against their use or the threat of their use. Based on this conviction, the Treaty on the Non-Proliferation of Nuclear Weapons is not an end in itself but only a means to an end, which is the achievement of nuclear disarmament. The Final Document of the 2000 Review Conference clarified the inherent link between nuclear non-proliferation and nuclear disarmament by recalling that the overwhelming majority of States had entered into legally binding commitments not to receive, manufacture or otherwise acquire nuclear weapons in the context, inter alia, of the corresponding legally binding commitment by the nuclear-weapon States to nuclear disarmament. This means that the objective of non-proliferation of nuclear weapons derives its legitimacy from the larger objective of nuclear disarmament. Not only have the parties to the Treaty declared, in its preamble, their intention to undertake effective measures in the direction of nuclear disarmament and urged "the cooperation of all States in the attainment of this objective", but each of them has also undertaken, under article VI, "to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament". Achieving nuclear

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disarmament is in the interests of ensuring the genuine security and peaceful future of all the nations and peoples of the world.

3. In its advisory opinion of 8 July 1996 on the legality of the threat or use of nuclear weapons, the International Court of Justice unanimously concluded that "there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control". Without doubt, the advisory opinion is of the utmost importance in confirming the legal obligation of the nuclear-weapon States with regard to nuclear disarmament.

4. The 2020 Review Conference should acknowledge that the implementation of obligations under article VI of the Treaty is not conditional. As unanimously concluded by the International Court of Justice in its advisory opinion of 8 July 1996, "the legal import of that obligation goes beyond that of a mere obligation of conduct; the obligation involved here is an obligation to achieve a precise result — nuclear disarmament in all its aspects — by adopting a particular course of conduct, namely, the pursuit of negotiations on the matter in good faith". The unconditional nature of the nuclear disarmament obligation under article VI was reiterated in the Final Document of the 2000 Review Conference, in which the nuclear-weapon States agreed that they have "an unequivocal undertaking" to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament.

5. In the 1995 Review and Extension Conference and the 2000 and 2010 Review Conferences, important specific commitments were made for the implementation of article VI. The 1995 Review and Extension Conference, in its decision 2, concluded that "the undertakings with regard to nuclear disarmament as set out in the Treaty on the Non-Proliferation of Nuclear Weapons should be fulfilled with determination". In this regard, the nuclear-weapon States reaffirmed their commitment to nuclear disarmament. The 2000 Review Conference agreed on 13 practical steps to implement article VI of the Treaty, which include "an unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, to which all States Parties are committed under article VI". The 2010 Review Conference agreed on a 22-point "action plan on nuclear disarmament, which includes concrete steps for the total elimination of nuclear weapons". Through this action plan, the Conference "reaffirms the urgent need for the nuclear-weapon States to implement the steps leading to nuclear disarmament agreed to in the Final Document of the 2000 Review Conference".

6. The 2020 Review Conference should reiterate that the implementation of article VI is essential to the maintenance of the Treaty and its credibility and reaffirm the continued validity of nuclear disarmament commitments agreed upon in the previous Review Conferences. Also, all nuclear-weapon States should reiterate their unequivocal commitment to fully implement their existing obligations with regard to nuclear disarmament. They should clearly declare in the Final Document of the Review Conference that the indefinite retention of nuclear weapons is illegitimate and in contravention of the purpose and object of the Treaty and that they do not intend to retain their nuclear weapons indefinitely.

7. Despite the existence of a 48-year-old explicit legal obligation regarding nuclear disarmament and the commitments made in the context of the Review Conferences of the Treaty to make progress on the implementation of article VI, the objective of that article remains unfulfilled. While the Treaty requires all its parties to undertake negotiations in good faith on nuclear disarmament, those negotiations have never taken place in the 48-year history of the Treaty. The nuclear-weapon States parties to the Treaty, by not actively pursuing or participating in negotiations in good faith on effective measures relating to the cessation of the nuclear arms race at an early date

and to nuclear disarmament, have breached and continue to breach their legal duty to perform their obligations under the Treaty in good faith. Consequently, the achievement of the objective of nuclear disarmament appears to be as far away today as it was in 1970, when the Treaty entered into force, or even further. The persistence of this situation has undermined the confidence of non-nuclear-weapon States in the Treaty and its capacity to realize the promise of nuclear disarmament. The continued non-compliance with the nuclear disarmament obligations presents the most serious challenge to the viability of the Treaty.

8. Given the fact that new negotiations have not been pursued and new agreements have not been reached, in the period under review on effective measures relating to nuclear disarmament, the 2020 Review Conference should express deep regret and concern over the lack of progress by the nuclear-weapon States in accomplishing the total elimination of their nuclear arsenals in accordance with their relevant multilateral legal obligations. Undertaking urgent and effective measures aimed at nuclear disarmament and the complete elimination of nuclear weapons should have the highest priority in the 2020 Review Conference. The Conference should call for urgent compliance with legal obligations and the fulfilment of commitments on nuclear disarmament. In this context, the 2020 Review Conference should call upon all the nuclear-weapon States to participate in the urgent negotiation and conclusion of a comprehensive nuclear weapons convention as a matter of the highest priority in the Conference on Disarmament.

9. The nuclear-weapon States, in particular those that possess the most important nuclear arsenals, have the primary responsibility for achieving nuclear disarmament. The political will and nuclear policy of those nuclear-weapon States have a determining impact on the prospects of the Treaty's success or failure in achieving the objective of nuclear disarmament. Action 1 of the action plan agreed upon by the 2010 Review Conference provided that all States parties commit to pursuing policies that are fully compatible with the Treaty and the objective of achieving a world without nuclear weapons. However, the recently announced nuclear policy of the United States, known as the 2018 Nuclear Posture Review, which emphasizes the utility of retaining nuclear weapons and the threat to use them and massive plans for long-term expansion and modernization of its nuclear arsenal, is fully and fundamentally incompatible with that country's Treaty commitments. This is a matter of serious concern that needs to be addressed thoroughly in the Treaty review process. The 2020 Review Conference should call upon the nuclear-weapon States to commit to refraining from pursuing policies inconsistent with their obligations under article VI of the Treaty.

10. It is estimated that more than 2,200 of the existing nuclear warheads are on alert and ready for use in minutes or hours. This means that thousands of nuclear weapons continue to play a significant role in the war plans and military and security doctrines of their possessors. Some nuclear-weapon States, in particular the United States, have dangerously increased their reliance on nuclear weapons and expanded the role of such weapons in their military concepts and doctrines in violation of their commitment at the 2000 and 2010 Review Conferences to diminish the role and significance of nuclear weapons in their military and security doctrines and policies. For instance, the United States continues to insist that deterring nuclear attacks is not the sole purpose or mission of its nuclear weapons and threatens to use them not only against nuclear-weapon States but also against non-nuclear-weapon States.

11. Certain nuclear-weapon States are engaged in massive nuclear weapon modernization projects. They are also developing new types of nuclear weapons for new military missions. For instance, the United States plans to spend $1.2 trillion on a tremendous build-up of its nuclear arsenal. Such long-term modernization and build-up of nuclear weapons presents a dangerous obstacle to the nuclear

disarmament process. The Final Document of the 2020 Review Conference should include a clear commitment by all nuclear-weapon States to cease completely and immediately all plans aimed at upgrading and refurbishing their existing nuclear weapons and their means of delivery, developing new types of nuclear weapons systems and constructing any new facility for the development, deployment and production of nuclear weapons and their means of delivery at home and abroad.

12. According to the latest estimates, today there exist more than 15,000 nuclear weapons worldwide. This means, quantitatively, that there are nearly 79 per cent fewer than the Cold War peak of around 70,000 warheads in the mid-1980s. However, this is only one part of the story regarding the reduction of nuclear weapons. To assess the quantity and quality of existing nuclear weapons worldwide, the danger they pose and the true nature of reduction efforts, one should also take into account some illuminating facts:

(a) Most of the warheads subject to reduction have only been moved from operational status to various reserve, inactive or contingency categories, since concerned agreements, including the Strategic Arms Reduction Treaty, have not only failed to require the destruction of warheads but have also ignored non-strategic and non-deployed warheads. Thus, most of the more than 125,000 nuclear warheads that have been built since 1945 continue to exist. Decommissioning nuclear weapons is not nuclear disarmament. This signifies that the principle of irreversibility, as agreed upon in the successive Review Conferences of the Treaty, has not been applied to such reductions. The 2020 Review Conference should reiterate, once again, the importance of applying the principles of transparency, irreversibility and verifiability in nuclear weapons reductions;

(b) The yield of nuclear weapons has been increased from kilotons to megatons through the replacement of atomic bombs (A-bombs) by hydrogen bombs (H-bombs), which are thousands of times more destructive. As a result, most existing nuclear weapons would explode with a force roughly 8 to 100 times greater than that of the bombs dropped on Hiroshima and Nagasaki. Therefore, reductions in the number of nuclear weapons have not led to a reduction in their destructive power and capacity in comparison with that of the Cold War era. Definitely, nuclear disarmament goes beyond merely reducing the number of nuclear weapons while preserving their even greater destructive power;

(c) The 2010 action plan on nuclear disarmament "affirms the need for the nuclear-weapon States to reduce and eliminate all types of their nuclear weapons". Likewise, by virtue of the plan, "the nuclear-weapon States commit to undertake further efforts to reduce and ultimately eliminate all types of nuclear weapons". Since non-strategic nuclear weapons are designed for battlefield contingencies, the probability of their use is much greater than that of strategic nuclear weapons. Much worse, while none of the bilateral nuclear arms reduction agreements covered issues relating to non-strategic nuclear weapons, the development of new types of such weapons, including by many of the nuclear-weapon possessors, continues unabated, which, by reducing the threshold for their use, increases the possibility and risk of their use. The 2020 Review Conference should call for deep and verifiable reductions in non-strategic nuclear weapons as part of the process of pursuing the objectives of article VI;

(d) Above all, one should also take into account the recent dangerous announcement by a certain nuclear-weapon State that it intends to continuously strengthen and expand its nuclear arsenal to make sure that it is at the "top of the pack" and is "never going to fall behind on nuclear power". Such provocative statements and plans should be considered a clear indication of, and an explicit invitation for, the start of a new nuclear arms race and a violation of the nuclear

disarmament obligations under article VI of the Treaty, as they clearly contradict the object and purpose of the Treaty.

13. The inability of the 2015 Review Conference to adopt an outcome document on nuclear disarmament illustrates a very uncertain and unpromising future for the Treaty unless concrete decisions, with a time-bound implementation plan, are made by the 2020 Review Conference to rectify this trend. Taking into account the current stalemate in the implementation of nuclear disarmament obligations and commitments and in line with action 5 of the 2010 action plan on nuclear disarmament, under which it was decided to consider, during the subsequent Review Conference, "the next steps for the full implementation of article VI", the 2020 Review Conference should take concrete decisions on nuclear disarmament, so as to stop the ever-deepening frustration of the non-nuclear-weapon States, prevent the continuous erosion of the credibility of the Treaty and end the situations undermining the effectiveness of this important instrument.